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No. 57A



N° 57A

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Second Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Deuxième session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 10 April 2006**

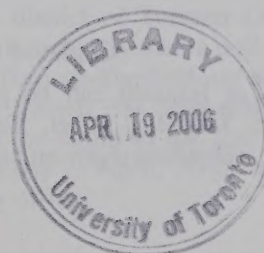
**Lundi 10 avril 2006**

Speaker  
Honourable Michael A. Brown

Clerk  
Claude L. DesRosiers

Président  
L'honorable Michael A. Brown

Greffier  
Claude L. DesRosiers





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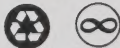
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 10 April 2006

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 10 avril 2006

*The House met at 1330.*

*Prayers.*

## INTRODUCTION OF MEMBERS

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that the Clerk has received from the Chief Election Officer and laid upon the table certificates of the by-elections in the electoral districts of Whitby–Ajax, Nepean–Carleton and Toronto–Danforth.

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):**

(1) “Mr. Claude DesRosiers  
“Clerk of the Legislative Assembly  
“Room 104  
“Legislative Building  
“Queen’s Park  
“Toronto, Ontario  
“M7A 1A2  
“Dear Mr. DesRosiers:

“A writ of election dated the first day of March, 2006, was issued by the Honourable Lieutenant Governor of the province of Ontario, and was addressed to Elinor Kidd, returning officer for the electoral district of Whitby–Ajax, for the election of a member to represent the said electoral district of Whitby–Ajax in the Legislative Assembly of this province in the room of Jim Flaherty who since his election as representative of the said electoral district of Whitby–Ajax has resigned his seat. This is to certify that, a poll having been granted and held in Whitby–Ajax on the 30th day of March, 2006, Christine Elliott has been returned as duly elected as appears by the return of the said writ of election, dated the seventh day of April, 2006, which is now lodged of record in my office.

“John L. Hollins  
“Chief Election Officer  
“Toronto, April 10, 2006.”

(2) “Mr. Claude DesRosiers  
“Clerk of the Legislative Assembly  
“Room 104  
“Legislative Building  
“Queen’s Park  
“Toronto, Ontario  
“M7A 1A2  
“Dear Mr. DesRosiers:

“A writ of election dated the first day of March, 2006, was issued by the Honourable Lieutenant Governor of the province of Ontario, and was addressed to Wayne

Beaten, returning officer for the electoral district of Nepean–Carleton, for the election of a member to represent the said electoral district of Nepean–Carleton in the Legislative Assembly of this province in the room of John Baird who since his election as representative of the said electoral district of Nepean–Carleton has resigned his seat. This is to certify that, a poll having been granted and held in Nepean–Carleton on the 30th day of March, 2006, Lisa MacLeod has been returned as duly elected as appears by the return of the said writ of election, dated the seventh day of April, 2006, which is now lodged of record in my office.

“John L. Hollins  
“Chief Election Officer  
“Toronto, April 10, 2006.”

(3) “Mr. Claude DesRosiers  
“Clerk of the Legislative Assembly  
“Room 104  
“Legislative Building  
“Queen’s Park  
“Toronto, Ontario  
“M7A 1A2  
“Dear Mr. DesRosiers:

“A writ of election dated the first day of March, 2006, was issued by the Honourable Lieutenant Governor of the province of Ontario, and was addressed to Krystianna Sofroniou, returning officer for the electoral district of Toronto–Danforth, for the election of the member to represent the said electoral district of Toronto–Danforth in the Legislative Assembly of this province in the room of Marilyn Churley who since her election as representative of the said electoral district of Toronto–Danforth has resigned her seat. This is to certify that, a poll having been granted and held in Toronto–Danforth on the 30th day of March, 2006, Peter Tabuns has been returned as duly elected as appears by the return of the said writ of election, dated the seventh day of April, 2006, which is now lodged of record in my office.

“John L. Hollins  
“Chief Election Officer  
“Toronto, April 10, 2006.”

*Mrs. Elliott and Ms. MacLeod were escorted into the chamber by Mr. Tory and Mr. Runciman.*

**Mr. John Tory (Leader of the Opposition):** Mr. Speaker, I have the honour to present to you and to the House Christine Elliott, the member-elect for the electoral district of Whitby–Ajax, and Lisa MacLeod, the member-elect for the electoral district of Nepean–



Carleton, who have taken the oath and signed the roll and now claim the right to take their seats.

**The Speaker:** Let the honourable members take their seats.

*Applause.*

*Mr. Tabuns was escorted into the chamber by Mr. Hampton and Mr. Kormos.*

**Mr. Howard Hampton (Kenora–Rainy River):** Mr. Speaker, I have the honour to present to you and to the House Peter Tabuns, member-elect for the electoral district of Toronto–Danforth, who has taken the oath and signed the roll and now claims the right to take his seat.

**The Speaker:** Let the honourable member take his seat.

*Applause.*

1340

## MEMBERS' STATEMENTS

### ONTARIO SCHOOL BUS ASSOCIATION

**Mr. Frank Klees (Oak Ridges):** On behalf of the PC caucus, I would like to welcome the new members of the Legislature who have taken their seats today.

I also want to welcome members of the Ontario School Bus Association, who are here today to meet with MPPs. The OSBA are valued partners in the education community, and we're pleased that they are here with us today. Under the leadership of Rick Donaldson, the OSBA has been an effective voice for safe and reliable transportation of students across the province.

The OSBA represents some 200 school bus companies operating over 14,000 vehicles throughout the entire province. Sixty per cent of their members are small, family-owned businesses with 20 or fewer vehicles.

The members of the OSBA and their drivers play an important role for our students every day. They are the first and last point of contact with the school system for over 800,000 students every day. Their members have strong ties in our communities, and I am sure many of you know your school bus operator by name.

The OSBA have long been advocates for a fair and equitable student transportation funding model. The PC caucus is committed to working with the OSBA to impress upon the government the importance of having an improved student transportation funding formula.

We are pleased that the OSBA are here to meet with us. We welcome you, and we encourage the new Minister of Transportation to have that important dialogue with the OSBA to ensure that they can be effective in this province.

### VOLLEYBALL TEAM

#### ÉQUIPE DE VOLLEYBALL

**Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell):** It is with great pleasure that I rise today in the House to recognize the girls' volleyball team from l'École Secondaire L'Escale de Rockland. This outstand-

ing team won the gold medal at the Ontario Federation of School Athletic Associations tournament in Richmond Hill. I had the honour of attending their first game.

C'est une première médaille d'or pour l'équipe des filles, qui est composée de ces superbes athlètes : Andréanne Aumont, ma nièce Amélie Lafèche, Caroline Lupien, Annik Carrière, Natacha Paquette, Émilie Lamarche, Véronique Beaudry, Becky Lefavre, Vicki Sabourin, Sabrina Leclair, Karissa Laberge et Mari-Ève Talbot.

Encore une fois, félicitations à toutes ces joueuses de l'équipe; aux entraîneurs, François St-Denis, Jason Boivin et Daniel Beaudry; et aux parents, qui tous ensemble ont contribué à ce grand succès.

Monsieur le Président, je suis fier du succès rapporté ainsi que pour l'appui de la direction de l'Escale de Rockland.

### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Mr. Garfield Dunlop (Simcoe North):** I would like to draw attention to the state of animal welfare in this province. The Ontario Society for the Prevention of Cruelty to Animals is in a financial crisis, and the government should be ashamed of its slow pace of involvement to assist and maintain this valuable service.

During pre-budget consultations, we heard that the number of animals rescued by the OSPCA has more than doubled, the number of animal cruelty charges laid has increased sevenfold, the number of search warrants executed has more than quadrupled and the number of orders issued has almost tripled; all of this, and the OSPCA receives no funding to fulfill its mandate.

The OSPCA relies on its fundraising efforts to stay afloat, but these funds are not able to keep pace with demand. Shelters in Kingston and Dryden are slated for closure, and other shelters across the province are facing significant capital and internal pressures. We are headed for a crisis, and this government chose not to give financial support to the OSPCA in its recently announced budget.

We call on the government to implement the recommendations of the independent review by Grant Thornton. Conduct a legislative and governance review and provide stable, long-term funding to the OSPCA so they can continue to provide animal protection services which are critical to the safety of animals in our communities.

This government had no trouble finding the money to produce photo opportunities when promoting their pathetic pit bull legislation. It's time they came forward to properly fund the OSPCA and its affiliates.

### MEL SWART-LAKE GIBSON CONSERVATION PARK

**Mr. Peter Kormos (Niagara Centre):** Saturday night in Niagara, the place to be was at Club Capri in Thorold,



where folks gathered for the seventh consecutive year at the annual fundraiser for the Mel Swart-Lake Gibson Conservation Park. Representatives of Thorold council and of regional council were there. Jim Bradley, member for St. Catharines and Minister of Tourism, came down from his riding to join other folks at that gathering of august people raising funds for this effort that's been the pride of Thorold for a decade plus—and of course, all the more importantly, the namesake, Mel Swart. Mel was there in fine form. Mel was there with his long-time friend and companion, Hilda Holmes, a woman who has bragging rights as one of the people who imposed upon Mel to run as a CCFer on the first occasion many, many years ago.

I want to commend the incredible work of the community of Thorold and Fred Neale, as chair of that committee, who have developed in the Mel Swart-Lake Gibson Conservation Park down on Decew Road, just down from Emma Carlson, one of the most pristine and unique pieces of land in Niagara, where people go to simply sit and reflect, where people go to walk and listen to the birds and watch the wildlife, the flora and the fauna.

I was exceptionally proud to be with Mel last Saturday and I'm looking forward to many more occasions in years to come when Jim Bradley, Mel Swart and I can sit down and raise money together.

#### GREAT WOLF LODGE

**Mr. Kim Craiton (Niagara Falls):** When the sun sets this Thursday in my riding of Niagara Falls, a great howl of joy will erupt as the Great Wolf Lodge will officially open its doors to over half a million guests annually. This 406-family-suite lodge is the home to North America's largest themed water park. It's an amazing investment in the future of tourism in the Niagara area by the Jim Pattison Group.

With an initial investment of over \$130 million to date, it's created 350 to 400 needed construction jobs, with a local payroll in excess of \$15 million. Over 800 local and Canadian vendors provided goods and services to build, equip and supply this magnificent building.

The 500,000-square-foot Great Wolf Lodge is creating 520 new jobs, providing training, mentoring and leadership skills to a new generation of adults. The lodge will employ 100 lifeguards, 57 chefs and, in the first year of operations, will pump \$32 million into the economy of Niagara Falls.

The Great Wolf Lodge is just another example of a company that believes Niagara and Ontario are great places to invest 12 months a year—and that is something to howl about.

The Great Wolf Lodge is a year-round indoor family resort that will create lifelong family memories and fun.

I urge all Ontarians to visit this new family experience in Niagara Falls. It's just one of the many reasons to come and visit Ontario's finest tourist destination. A visit to the Great Wolf Lodge will have your children howling to return.

#### ONTARIO FEDERATION OF ANGLERS AND HUNTERS

**Mr. Norm Miller (Parry Sound-Muskoka):** I'm pleased to rise today to welcome representatives of the Ontario Federation of Anglers and Hunters to the Legislature. Present today are Mike Reader, executive director of the federation; Greg Farrant, manager of government relations; Terry Quinney, provincial manager for fish and wildlife; Alison de Groot, publisher of Ontario Out of Doors magazine; Gerry Dineson, Canadian Shooting Sports Association; Tom Brooke, president of the Canadian Sportfishing Industry Association; Conrad Morin, president of the Ontario Fur Managers Federation and also a member of the fish and wildlife commission; Murray Monk, the northwestern Ontario director of the Ontario Fur Managers Federation; and Matt Nichols, the new editor of Ontario Out of Doors magazine.

Since 1928, the Ontario Federation of Anglers and Hunters, as Canada's leading conservation organization, has been working to support outdoor opportunities for sporting enthusiasts. This non-profit, registered charity is dedicated to protecting woodland and wetland habitat, conserving our precious fish and wildlife stocks and promoting outdoor education. The federation works closely with the Ministry of Natural Resources to provide information and support to provide enhanced resource management. The OFAH represents more than 80,000 outdoor enthusiasts and 600 member clubs across the province.

I ask members to join me in thanking the federation for the fine work they do and to welcome them here to the Legislature today.

#### ONTARIO SCHOOL BUS ASSOCIATION

**Mr. Bruce Crozier (Essex):** In all of our communities and ridings throughout our province today, school-children are being taken safely to school in those yellow banana buses we all recognize. In those buses are the school bus drivers and operators who are dedicated to ensuring that our most precious resource, the students in our education system, make it to class every school day on time and in a secure manner. As many of us would be aware, these operators are the lifeblood of the education system in our communities. They are most often the first and last contact that students have with the education system on a daily basis.

1350

Today, the Ontario School Bus Association is at Queen's Park to meet MPPs to discuss their role in the education system and how we can work together to ensure that the school transportation system remains efficient and safe for the children of this province.

The OSBA represents 200 school bus operators throughout the province, the majority of which are small, family-owned operations with fewer than 20 vehicles. Every day, these school buses travel over 1.9 million kilometres to transport over 800,000 students in all kinds



of traffic and weather conditions with the help of dedicated, responsible and professional drivers.

I want to welcome to the Legislature today the president of the OSBA, Rob Proctor, Executive Director Rick Donaldson and over 60 OSBA members from across the province who have travelled to Queen's Park to advocate on behalf of this important education partner.

#### NORTHERN ONTARIO DEVELOPMENT

**Mr. David Oraziotti (Sault Ste. Marie):** Recently in my riding of Sault Ste. Marie I had the pleasure to announce with Minister Bartolucci that our government is providing \$15 million toward a major tourism project on our waterfront. This investment is the largest ever through the Northern Ontario Heritage Fund Corp. and is a clear indication that our government is following through on its commitment to invest in northern Ontario communities.

It has been more than a decade since our city has had this type of support from an Ontario Premier and government. I can say that residents enthusiastically welcome this project and greatly appreciate our government's efforts.

The long-awaited Gateway project is estimated at \$54 million and is expected to create 600 full-time jobs. The development will include a 35,000-square-foot domed arboretum called Borealis, which will house natural forest exhibits, a state-of-the-art 4-D movie theatre, ACR's Agawa Canyon train station, a new Radisson hotel, themed retail and restaurants, and a live performance theatre. The Gateway tourist development is expected to attract many of the 42 million people living within a day's drive of Sault Ste. Marie.

Our record investment of \$15 million from NOHFC is in addition to the nearly \$10 million in new funding over the past few years for the Sutherland Group centre, Flakeboard Ltd. and SIAG wind manufacturing—all creating new jobs.

Unfortunately, when the NDP and Conservatives had their chance to help northern Ontario, they chose to ignore us. It's obvious to my community that our government cares about northern Ontario and Sault Ste. Marie.

#### RIDING OF HURON-BRUCE

**Mrs. Carol Mitchell (Huron-Bruce):** I'm very pleased to rise today to speak about two very good-news announcements that I had the opportunity to make in the most beautiful riding in the province of Ontario: Huron-Bruce.

Those announcements were about the land ambulance funding that Bruce and Huron counties are going to receive. The McGuinty government will be spending \$300 million over the next three years to achieve a true 50-50 funding of the cost of municipal land ambulances and those services by 2008.

Just so that we have an understanding, in Huron this represents over \$600,000 and over \$300,000 in Bruce. I can tell you, this is much-needed money.

I also had the pleasure of announcing \$300,000 for the Women's House of Bruce County. This one-time, unconditional grant will allow them to complete a much-needed capital enhancement project. This is good news for women fleeing domestic violence.

Once again, this demonstrates our government's commitment to supporting the people who need it most, recognizing that the services municipalities provide also need to be addressed—the cost ratios. This is our commitment to our municipalities. We recognize them as true partners as we go forward, and that \$300 million recognizes that—

**The Speaker (Hon. Michael A. Brown):** Thank you.

#### GIRL GUIDE COOKIES

**Hon. Steve Peters (Minister of Labour):** On a point of order, Mr. Speaker: Just a reminder that it is Girl Guide cookie time. I encourage you to buy your Girl Guide cookies. My niece Olivia Peters graces the box.

**The Speaker (Hon. Michael A. Brown):** That was not a point of order, but a good commercial interruption.

#### INTRODUCTION OF BILLS

##### INCREASE IN ELECTRICITY CONSUMPTION REPORTING ACT, 2006

##### LOI DE 2006 SUR L'OBLIGATION DE SIGNALER TOUTE AUGMENTATION DE LA CONSOMMATION D'ÉLECTRICITÉ

Mr. Lalonde moved first reading of the following bill:

Bill 98, An Act to require reporting on increased electricity consumption / Projet de loi 98, Loi sur le signalement obligatoire de toute augmentation de la consommation d'électricité.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

**Mr. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** The act requires that every person who causes a building to be constructed report the anticipated annual electricity use in the case of a new building, or the annual increase, if any, in electricity use in a building that is being extended, materially altered or repaired. The report is made to the chief building official in a municipality. On an annual basis, the chief building official is required to report to the Minister of Energy on the anticipated annual increase in electricity use in the municipality.



## MOTIONS

## PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Mr. Speaker, I seek unanimous consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley is asking for unanimous consent to put forward a motion regarding private members' public business. Agreed? Agreed.

**Hon. Mr. Bradley:** I move that, notwithstanding standing order 96(d), the following change be made to the ballot list of private members' public business: Mr. Orazietti and Mr. Wilkinson exchange places in order of precedence such that Mr. Orazietti assumes ballot item 51 and Mr. Wilkinson assumes ballot item 37.

**The Speaker:** Mr. Bradley has moved that, notwithstanding standing order 96(d), the following change be made to the ballot list of private members' public business: Mr. Orazietti and Mr. Wilkinson exchange places in order of precedence such that Mr. Orazietti assumes ballot item 51 and Mr. Wilkinson assumes ballot item 37. Is it the pleasure of the House that the motion carry? Carried.

## HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Monday, April 10, 2006, for the purpose of considering government business.

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley has moved government notice of motion 97. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1359 to 1404.*

**The Speaker:** All in favour will please rise one at a time and be recognized by the Clerk.

## Ayes

Arnott, Ted	Dunlop, Garfield	O'Toole, John
Arthurs, Wayne	Elliott, Christine	Orazietti, David
Balkissoon, Bas	Flynn, Kevin Daniel	Parsons, Ernie
Barrett, Toby	Gerretsen, John	Patten, Richard
Bartolucci, Rick	Hardeman, Ernie	Peters, Steve
Bentley, Christopher	Hoy, Pat	Peterson, Tim
Berardinetti, Lorenzo	Hudak, Tim	Phillips, Gerry
Bradley, James J.	Jackson, Cameron	Qaadri, Shafiq
Brotten, Laurel C.	Jeffrey, Linda	Ramal, Khalil
Bryant, Michael	Klees, Frank	Sandals, Liz
Cansfield, Donna H.	Kular, Kuldip	Smith, Monique
Caplan, David	Kwinter, Monte	Smitherman, George
Chambers, Mary Anne	V. Lalonde, Jean-Marc	Takhar, Harinder S.
Chudleigh, Ted	Levac, Dave	Tascona, Joseph N.

Colle, Mike	MacLeod, Lisa	Tory, John
Craiton, Kim	Marsales, Judy	Van Bommel, Maria
Crozier, Bruce	Martiniuk, Gerry	Watson, Jim
Delaney, Bob	Matthews, Deborah	Wilkinson, John
Dhillon, Vic	Meilleur, Madeleine	Wilson, Jim
Di Cocco, Caroline	Miller, Norm	Witmer, Elizabeth
Dombrowsky, Leona	Mitchell, Carol	Wynne, Kathleen O.
Duguid, Brad	Mossop, Jennifer F.	Yakabuski, John
Duncan, Dwight	Munro, Julia	

**The Speaker:** All those opposed, please rise one at a time and be recognized by the Clerk.

## Nays

Hampton, Howard	Marchese, Rosario	Prue, Michael
Horwath, Andrea	Martel, Shelley	Tabuns, Peter
Kormos, Peter	Murdoch, Bill	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 68; the nays are 8.

**The Speaker:** I declare the motion carried.

STATEMENTS BY THE MINISTRY  
AND RESPONSES

## ONTARIO DRUG BENEFIT PROGRAM

**Hon. George Smitherman (Minister of Health and Long-Term Care):** Mr. Speaker, I rise today to advise you and members of this Legislative Assembly that our government is about to embark on a major effort to bring about much-needed changes to Ontario's drug system. These changes will result in a stronger, more effective, more transparent drug system for the people of Ontario, a system that puts people first and enhances their access to truly innovative drugs, a system that gives our province and her people good value for the money that they spend.

Innovation in public health care has been one of the defining characteristics of this government. This package of reforms is one more part of that agenda of innovation. As with all of the health care reforms we've introduced, our purpose is clear: to preserve and strengthen Ontario's system of public health care. Our government believes passionately that our public health care system is the best system for Ontario's patients and for our province, enhancing our economic competitiveness and making us a more desirable place to live, work and invest.

Our challenge, our obligation, is to ensure the system's sustainability, and one crucial part of meeting this challenge is ensuring that taxpayers receive fair value for their dollar. When it comes to Ontario's drug system, this has not been the case. Not only have taxpayers not received fair value for their dollar; there are a number of other weaknesses and problems throughout the entire drug system. The drug review process is too slow. Patients' voices are not heard. It's not transparent, and that lack of transparency has permitted shrewd marketing campaigns to portray drugs that offer only incremental benefits as "breakthrough" drugs. Pharmacists aren't sufficiently involved in the system. There are disturbing



problems with the drug distribution system and with the business practices of some who operate within it. It is a system riddled with inefficiencies, where doctors, for example, are forced to spend far too much time on paperwork instead of patient care. The list is long and the case for change is strong. So I stand before you today, Mr. Speaker, to inform you and this House that changes are coming.

Later this week, our government will be introducing legislation to address a number of these issues. There will be a package of reforms built on one overriding principle: Patients will be the beneficiaries. There will be no reduction whatsoever to the benefits they are currently receiving—none. The changes we are introducing will provide patients with greater access to better drugs faster, and if we are unable to fund a drug, people will be told why not.

1410

Our reforms will also save taxpayers money. What this proposal is all about is ensuring that the \$3.5 billion that we spend every year on drugs for Ontarians is respected; that taxpayers are rewarded for the enormous volumes that are involved. Standard business practice: Volumes are rewarded. The biggest customer gets the best price. But for some reason, that hasn't been the case here in Ontario when it comes to government purchasing drugs. Well, that has to change, and it's going to change.

Mr. Speaker, let me also tell you and all of those who are listening to these remarks that our package of reforms is a very balanced package. It's a package that balances the needs and interests of retailers, drug manufacturers, doctors, pharmacists and, most important, our patients. All of these groups are key players in Ontario's drug system, and each of them has a role to play in building a stronger and more effective system. Our package balances their needs and expectations and is fair to all.

Let me also state clearly that our government recognizes the tremendously valuable work done by Ontario's drug companies, particularly with respect to research. The money they spend on R&D is money well spent. No one should doubt that they deserve to be fairly compensated for truly innovative breakthrough drugs—and they will be.

In the coming days, there may be those who attempt to take one or two elements of our package out of context and raise a cry of alarm about the hardship being inflicted upon them. That is neither appropriate nor helpful. So I have a challenge for them, particularly for my colleague the Leader of the Opposition, who today indicated to me that he intends to run against me in the next election. His health care policy appears to rely on his finding efficiency in the current system. Why does he not support the kind of innovation that secures better access to better drugs for patients and respects taxpayers by obtaining better value for their money? That will be the challenge for all of our opponents in the coming days, because on this file, simplistic negative rhetoric will not be good enough.

As I said a moment ago, the reforms we are planning to introduce are essential. They are about providing

patients with the right drug, in the right place, at the right price and at the right time. They are about creating a drug system that is efficient, transparent, accountable and fair as part of an overall public health care system that is sustainable for generations to come. The people of this province deserve no less, and we will deliver no less.

## RENEWABLE FUELS

**Hon. Donna H. Cansfield (Minister of Energy):** I'm pleased to share some excellent news with my colleagues in the House. Last week, I had the pleasure of opening Ontario's second large-scale commercial wind farm. It's just one more step in our government's plan to ensure that Ontario has safe, clean, reliable power now and in the future.

The Kingsbridge I wind farm near Goderich, Ontario, has 22 turbines, with a generating capacity of 40 megawatts of power—enough to power 12,000 homes. Kingsbridge I is the first phase of a project that will ultimately add 200 megawatts of power, making it one of the largest wind projects in Ontario, capable of powering 57,000 homes in total.

Kingsbridge is a great example of a project that has tremendous economic and environmental benefits for all Ontarians. Not only are we benefiting from clean, renewable energy, but the Kingsbridge I wind farm is also expected to create 52 jobs, with a total investment of \$80 million. It is certainly good news for the surrounding community, and it's equally good news for the people of our province.

Our government is building a new energy future that will keep the lights on and ensure that our children have cleaner air. This wind farm and dozens of others now operating or being built across the province will allow us to create a stable supply of clean, renewable power, and it is an important milestone towards our future.

In 2003, Ontario had a wind capacity of 15 megawatts. By 2008, this province's wind capacity will be over 1,300 megawatts, an 80-fold increase, and will make Ontario, Canada, the leader in wind power. That's leadership.

Combined, these projects will help Ontario reach its goal of generating 5% of its electricity capacity through renewable generation by 2007 and 10% by 2010. All these projects, which include wind, small hydro, biomass and conservation projects, represent only one part of our approach to renewable energy. We recently announced one of the most ambitious and forward-looking standard offer contract programs in North America. We now have in place a net metering regulation that helps consumers consider renewable energy generation right at home.

Our approach to renewable energy is comprehensive, from large-scale wind farms like Kingsbridge to smaller community projects to steps that homeowners themselves can now take. The opening of the Kingsbridge 1 wind farm is exciting news for our province and a further sign of the bright energy future that we are creating for the people of Ontario.



## PUBLIC LIBRARIES

**Hon. Caroline Di Cocco (Minister of Culture):** The Ontario government is committed to a strong and vital public library sector, and invests over \$28 million annually to support library services across the province.

I am proud to announce today that the provincial government, under Premier Dalton McGuinty, has approved a one-time new investment of \$15 million in three new programs to strengthen the role of Ontario public libraries as community hubs of literacy, learning and information access. This investment will ensure that all Ontarians, regardless of where they live, have access to library programs and services that empower them to be fully engaged in the life of our province.

In many rural, francophone and First Nations communities, the library is a place people can turn to for help with basic literacy skills. This government, under Premier Dalton McGuinty, has earmarked \$6 million of this \$15 million to support family literacy and lifelong learning at public and First Nations libraries that serve communities of under 20,000 people. Additional funding of \$10,500 per library branch has already been sent to public and First Nations libraries across Ontario. The Federation of Ontario Public Libraries will receive a \$200,000 grant to market the literacy services available at Ontario libraries.

The government will invest \$8 million to support the Ontario Digital Library in providing quality digital information to 6,500 public school, college and university libraries. This new funding will ensure that digital information resources currently available in large urban libraries will soon be available across the province in every community library, regardless of size.

Finally, the last \$1 million of this one-time \$15-million cash infusion will go to Ontario Library Service—North to improve services at public and First Nations libraries in northern Ontario. The money will be used to promote interlibrary loan system use by small, rural, remote, francophone and First Nation public libraries.

These three library initiatives will make an enormous difference in the quality of life in Ontario's First Nations communities as well as in the library services provided to other rural and northern Ontario communities. As Ontario's new Minister of Culture, I am proud to have the honour of championing our public library system. The hard work and dedication of library boards and staff across Ontario make a strong and compelling case for increased support for the library sector. This new investment of \$15 million is a testament to their record of achievement.

**The Speaker (Hon. Michael A. Brown):** Responses?

1420

## ONTARIO DRUG BENEFIT PROGRAM

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** Mr. Speaker, I notice that the Minister of Health is not here to

listen to the response to his statement. This is absolutely—

**The Speaker (Hon. Michael A. Brown):** You can't refer to a member's presence or absence.

**Mrs. Witmer:** Mr. Speaker, this is the height of the ridiculous: We now have a minister making a statement that he is going to be making a statement. I will tell you that the statement today was contrary to the standing orders, section 35, which says, "A minister of the crown may make a short factual statement relating to government policy, ministry action or other similar matters of which the House should be informed," the key word being "factual."

I would submit to you that, instead, what we had here was a minister who stood up, contrary to the standing orders, and proceeded to criticize the opposition, the Leader of the Opposition or anyone who might voice some legitimate concerns about what may be coming, which is the role of the opposition. I would say to you today that the minister was totally dismissive of any future legitimate concerns. He demonstrated some contempt and some arrogance.

This entire process that Helen Stevenson has embarked upon has been cloaked in secrecy, and as of today we still have no idea what may be coming forward, nor do the stakeholders. I understand from the stakeholders that they have no idea what the recommendations are going to be and they had no opportunity to respond to the recommendations that might be put before us.

So we will wait; we will see. But I will tell you that we are the opposition, and our role is to voice the legitimate concerns that are expressed to us on behalf of the people in the province of Ontario.

## RENEWABLE FUELS

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** In response to the Minister of Energy, the minister's statement is another flowery announcement with no real, concrete action on the electricity situation in this province. They use the formula and give us the numbers and say that this wind farm—and we do support wind farms, but we have to be honest about what we are actually doing here. Those 20 windmills are going to provide electricity for 12,000 homes. Minister, using that formula, your government's policy to shut down 20% of our generational capacity in this province, 6,500 megawatts, is going to be tantamount to cutting off the power to almost two million homes in this province. It's time to be honest with the people about your electricity policy in this government.

Let us not confuse capacity with generation. They go on and talk about how the government is going to ensure that we have 5% of our capacity from renewables by 2007. "Capacity" does not mean terawatts being produced. It's only capacity on the ground. The people of Ontario have to know what this government can actually expect from those sources that we're paying premium prices to put on the ground. It is time to be honest. What



needs to be shut down in this province is your policy and your government.

### PUBLIC LIBRARIES

**Mrs. Julia Munro (York North):** I'm pleased to be able to respond to the Minister of Culture's announcement with regard to libraries.

Frankly, I'm glad that the government has finally realized the importance of libraries, since it cut the budget of the Southern Ontario Library Service last year. Libraries and their patrons have worked hard to make the case to the government that they needed the appropriate funding to do their jobs.

Over 600 of my constituents, patrons of the East Gwillimbury Public Library, signed petitions demanding that the government properly fund libraries. They know that libraries are important to communities. The Friends of the East Gwillimbury Library started their own literacy fundraising campaign just last Thursday with the launch of a library quilt. The Newmarket Public Library has suggested making libraries part of Early Years Centres, as well as expanding other programs, all of which are designed to move ahead on literacy.

So I'm glad that the government is finally providing some funds to help the libraries in my community and communities across Ontario.

**Mr. Rosario Marchese (Trinity-Spadina):** I'm happy to respond to the Minister of Culture. I've got to tell you that New Democrats agree that a library is a place that people can turn to for help with basic literacy skills; that is true. We also agree that giving \$6 million of the \$50 million to support family literacy among First Nations is a good thing. I've got to tell you that for a library system that has been starved for cash for so long, any money is better than no money.

**Mr. Peter Kormos (Niagara Centre):** It's better than a kick in the teeth.

**Mr. Marchese:** It is better than a kick in the teeth.

I know that every school is going to get some \$3,000 to support it. I also know, from the Ontario School Library Association, that they had eight days to spend the money to purchase books. I want to remind the minister that the Ontario Library Association says that school libraries lack the expertise of qualified library staff. In fact, People for Education reminds us that "80% of elementary schools had teacher-librarians in 1997-98; in 2004-05 that number had declined to 54%." Don Klinger, lead researcher on the study from the Queen's University Faculty of Education, says the following: "We have shown that there is a relationship not only between students' reading scores and school libraries, but between students' attitudes toward reading and the staff in those libraries."

I want to say to you, Minister, that it would be a good idea to work with the new Minister of Education and inform her of this research that speaks about libraries, reading and how well they succeed in schools where we have librarians and well-stocked libraries, but particularly

where we have librarians. Talk to her, please. Urge her to restore some of those cuts, bring back some of those librarians in our school system so we can, in fact, arrive at better educational outcomes for our students. If you could do that, then you would find a little praise from this critic on this side.

### ONTARIO DRUG BENEFIT PROGRAM

**Ms. Shelley Martel (Nickel Belt):** In response to the statement made by the minister, I want to focus on the promises he made, in particular that the changes he will introduce later this week will provide patients with "the right drug, at the right price, in the right place, at the right time." I wonder if that applies to my constituent, Patricia Bourque, who was diagnosed with colorectal cancer three years ago, which has metastasized to her liver. She's had bowel reconstruction and several rounds of chemotherapy, and her oncologist tells her, because she's got new tumours growing, that her last hope is Erbitux. But she can't get Erbitux in Ontario, and her family can't afford to buy that or send her to the United States.

Her husband says the following: "Unlike some situations, ours does not have the luxury of time. We are fighting for every moment and urgently need your help to push for funding.... We need to have this drug available and covered. To tell someone who is [in] the last stage of their life that they can get this drug in the United States or at a private clinic at the cost \$10,000-\$15,000 per month is cruel. Is health care only for the rich?"

I wonder if the minister's changes are going to allow people like Patricia to get access to Erbitux, or if the minister's promise is going to apply to patients who have multiple myeloma and require Velcade for treatment: patients like Carolyn Henry, Neil Koven, Pat Maloney, Dawn Warner, Mr. Northwood, Bruce Coleman and Laura McCallum.

Laura McCallum was here at Queen's Park on November 17 for a press conference on this very issue. Laura, who has already had a stem cell transplant, who has had chemotherapy and whose cancer is back, is now paying thousands of dollars to have Velcade given to her at a private clinic here in Toronto. I wonder if the minister's reforms are going to allow people like Laura and the others I've named access to drug treatment like Velcade, or patients like Darren Nesbitt, who need "the right drug ... in the right place, at the right time."

Darren Nesbitt has Fabry disease and needs enzyme replacement therapy. This minister promised two years ago, in June 2004, when he met with Donna and John Strauss here at Queen's Park—John, at that time, needed ERT—that he would have an answer for them about coverage within two months. That should have been in August 2004. Tragically, John has died, but other people still need this treatment, and we have no response from the minister in this regard. I wonder if a patient like Darren Nesbitt, who needs treatment for Fabry disease, is going to get some relief in the reforms the ministry brings forward. We'll be looking very carefully at the



reforms, and I can tell you, we'll be very critical if patients like these don't get the drugs that they need.

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## ORAL QUESTIONS

### COMMUNITY SAFETY

**Mr. John Tory (Leader of the Opposition):** My question is for the Minister of Community Safety. Ontarians want a province where their families and friends feel safe and secure. This weekend, I think, will mark one of the darkest days in Ontario's history: eight people found viciously executed just outside of St. Thomas, Ontario, in what media reports indicate was some kind of gang-related hit. Alongside the guns and violence that we've seen this past year here and around the GTA, it has got to be one of the most gruesome events ever witnessed by people across Ontario.

What is your government doing to stem the activity of guns and gangs outside of the GTA?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member for the question. It's really interesting that he should raise this question. It seems that every time something like this happens, the leader is out there right up front, grandstanding, trying to make some capital out of an incident that happens to be very tragic.

I just want you to know that we have been providing funding for the 1,000 officers across the province of Ontario. We've been funding the weapons enforcement unit. We're funding a centre to look after organized crime. We have been doing things to combat organized crime, to combat guns, to combat all of these incidents.

It is not helpful for the Leader of the Opposition to stand up and ask these questions when in fact it's under police investigation. It is something that everybody is concerned with. There seems to be some idea that you have a monopoly on this particular situation.

**Mr. Tory:** Actually, my question was about what you are doing to stem gun and gang violence outside of the GTA, without reference to any specifics of anything that's under investigation. It is my job to come to this House on behalf of the people of Ontario and ask those questions, and it is your job to answer them.

You talked about the 1,000 police officers. Let's talk about that for a minute. This was something you and the Premier announced over and over again—10 times, I think—without any bodies actually getting to the streets. But in the end, only 5% of those officers were allocated to the already thinly stretched OPP, the very group of officers tasked with carrying out investigations of this kind. Not only has gangs and guns violence dramatically increased in urban centres, but we're now witnessing a degree and manner of violent and organized criminal activity not before seen in this province.

The question, again, was this: What specifically are you doing to stem the tide of gang- and criminal-related

violence outside of the GTA? If you don't have a plan, when will you have one?

**Hon. Mr. Kwinter:** I just want to share with the member one of the things we've been doing against organized crime that he should be aware of. On January 19, the OPP announced that Project Husky had resulted in 27 charges in relation to organized crime, conspiracy and drug trafficking. This was an operation, a two-year covert investigation, focusing on specific Hells Angels motorcycle gang members and associates. These people were arrested. It was a two-year operation which involved every major police service in Ontario, the intelligence section of Ontario, the RCMP—the OPP, by the way, got 59 new officers under our 1,000 officers program, plus the fact that the OPP is a provincial organization. We pay 100% of their costs as they need officers.

To suggest that somehow or other—where were you last week on this question? It's only because of what happened this weekend. Then you're up there trying to get capital out of it and—

**The Speaker (Hon. Michael A. Brown):** Thank you. Final supplementary.

**Mr. Tory:** Mr. Speaker, my record in terms of asking questions about crime in this province—I don't have to apologize to you or anyone else for that.

We had no answer from you as to whether you have a plan or whether you plan to have a plan. I would point out to you, notwithstanding the arrests you referred to last January, that there obviously are still quite a few people left to round up. If the OPP had the proper share of resources, if they had more than the 5% of the police officers to help them with all the things they have to do—the specialized services they're performing, the tasks they are having to do in a provincial organization under your direct control and decision-making—they'd be better off.

You are just not taking the issue of crime and organized criminal activity in rural and smaller centre Ontario seriously. I give you one more opportunity to get up and confirm the fact that you know Ontarians don't want to see any more of this and to talk about a plan that you are going to bring forward by a specific date to give the OPP the resources they need and to get on with rounding up more of these people. When are you coming?

**Hon. Mr. Kwinter:** If the member had any idea about police enforcement, he would know that these particular investigations, when it comes to organized crime, do not happen overnight. Project Husky took two years. The projects that went into taking down the Galloway and Malvern gangs took many months and many years. The program that went on to other areas takes a lot of time. I can tell you that the Ontario intelligence service is working very diligently. The OPP is working very diligently. They are making progress. To suggest other than that is irresponsible.

**Mr. Tory:** If you just gave them the help they need, they'd be able to get more done, by the way, to the Minister of Community Safety.



## HEALTH CARE

**Mr. John Tory (Leader of the Opposition):** The question is to the Minister of Health and Long-Term Care. Ontarians want a health care system where they're receiving the right care at the right time. During the last election campaign, your Premier promised to reduce wait times. You have repeatedly indicated that you're going to reduce wait times. Can you explain to me why you have broken this promise and why, according to your own website data, cancer surgery wait times are going up all over the province? Why are they going up, not down?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** The honourable member, as relates to the subject matter of wait times, is kind of like the head of the cherry pickers' union. Across the breadth of hundreds of different statistics, he seeks out those that offer the storyline that he most likes.

The reality is that in each of the five key areas where we targeted tremendous additional resources, wait times are being reduced for Ontarians. The measurement system for wait times is like exit-polling data. What it does is capture the information about those who had surgery in a certain period of time and offer a number, an analysis, of how long they waited.

As our resources, our targeting, and addressing those who have waited the longest, it's appropriate that from time to time the numbers will demonstrate that those who have waited the longest have just been treated, and numbers will be higher. But the evidence is clear: In all of these areas, wait times are being reduced. Speak to the member from Barrie. Wait times for an MRI at Royal Victoria Hospital in Barrie have gone from 52 weeks to six.

**Mr. Tory:** There's the champion cherry picker himself. He just happened to have that one little fact handy.

It was fine for the Minister of Health and the Premier to tell us we should rely on this data as if it was gospel when the website was opened. Now, when the website is there for all to see and the data indicates that cancer wait times are up, it's erroneous, it's factually incorrect, and there's some complicated formula we don't understand. Cancer surgery wait times at the Hotel-Dieu Grace Hospital in Windsor are up 42%. This certainly doesn't look like a lowering of wait times. Stratford General Hospital—the brunt of your and Mr. McGuinty's broken promise is being felt there: Cancer surgery wait times are up 38%.

Why are you and all of the McGuinty Liberals asking people to pay more through the health tax and to get these huge increases in cancer surgery wait times across the province? Explain it.

**Hon. Mr. Smitherman:** For the first part, which is statistical, the honourable member does not have any interest in the explanation. The circumstances are clear. We inherited circumstances where the prior government had not invested in any registry with respect to people who were waiting. Accordingly, we've begun to analyze the data as patients leave the system. In July, we will make the transition to a system that actually has names

associated with a registry of those who are waiting. This is the work that we are in the midst of doing.

On the issue of cancer surgeries that the honourable member likes to speak about, in the province of Ontario we've established medically appropriate wait times. I can assure the honourable member that, in each and every case, cancer surgeries are being provided in the province of Ontario consistent with the medical direction, consistent that all hospitals in Ontario are meeting the target for wait times with respect to cancer surgery. This means that Ontarians are receiving appropriate care.

**Mr. Tory:** Appropriate care? It's 42% longer in Windsor and 38% longer in Stratford. I don't know about that.

You've had a variety of explanations already today. In your first answer, none of us understood your numbers. In the second answer, you inherited something. But the facts are the facts. You have presided over a 14% increase to cancer surgery wait times in the Waterloo–Wellington LHIN. Then, let's look at the Grand River Hospital in Kitchener, where wait times for cancer surgery are up 23%.

This is a system that is not working. People want the right care at the right time. They have had enough of your broken promises and paying more and getting less. Why are you not being straight with Ontarians about these wait times? Why are you breaking yet another promise by failing to reduce wait times for cancer surgery? Why are you doing that?

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**Hon. Mr. Smitherman:** The honourable member wants me being straight with Ontarians. It was delightful, today at least, that he stepped up to the plate and confessed that he's going to challenge me in the next provincial election, and I accept that challenge.

I also would want to report to the honourable member, who had a reputation in private practice of not being so good with the numbers and he's bringing it to the floor of the Legislature today: cataract surgery, a decrease of 16% across the board, province-wide; hip replacement, median average decrease 10% across the board; knee replacement, median average decrease 18.7% across the board; cancer surgeries, all hospitals meeting established medically necessary wait times. All of these are performing below the pan-Canadian benchmarks that we established. The honourable member likes to use the word "system" and he likes to talk about cancer surgeries. We inherited, from the government that you—

**The Speaker (Hon. Michael A. Brown):** Thank you. Sit down, Minister. New question?

## CHILD PROTECTION

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Minister of Children and Youth Services. The death of little Jeffrey Baldwin represents the most horrific example of child abuse ever to come to trial in Ontario. Jeffrey died after a children's aid society placed him with his grandparents, who were known child



abusers at the time. They were convicted of his murder last Friday.

New Democrats have put forward Bill 88 to give Ontario's Ombudsman independent investigative oversight of children's aid societies and their decisions affecting child welfare and child protection.

Minister, given the terrible death of Jeffrey Baldwin, why aren't you passing Bill 88? Why do you refuse to give Ontario's Ombudsman the independent investigative authority over—

**The Speaker (Hon. Michael A. Brown):** The question has been asked.

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** The leader of the third party is treading on pretty dangerous ground here. First of all, I'd like to suggest that this is an incredible tragedy, and I think we should all see it as that. He should also know, as a former Attorney General in this province, that this case is still before the courts. The judge has not passed sentence.

I am pleased, however, to report that the coroner has also started his inquest. I'm very pleased that there has been that very smooth transition to further investigate the situation, and I think we should at this point do the appropriate thing and remain silent as the proper processes are followed.

**Mr. Hampton:** Minister, I'm not asking you to comment on the case.

*Interjections.*

**The Speaker:** Order. Stop the clock. Order. Leader of the third party.

**Mr. Hampton:** My question is about whether or not this government is going to provide the Ombudsman with the legal authority to do independent investigative reviews of children's aid societies. This is what the Ombudsman says about your steps so far. He says that what you've announced so far is "a stopgap measure, which does not go far enough. All it does is add another layer of bureaucracy to internal processes." He says that your announcement of a Child and Family Services Review Board "will operate under a limited jurisdiction" and "lacks both investigative powers and the power to address systemic issues affecting children and families."

This is about the policy. The Ombudsman says this was such a horrific situation that it demands a policy response from your government. I'm asking you, why do you refuse to give the Ombudsman—

**The Speaker:** The question has been asked. Response?

**Hon. Mrs. Chambers:** With the first reading of Bill 210, the proposed bill contemplated having the role of the director eliminated. That is where the Ombudsman quite rightly saw a reduction in independent oversight. But as a matter of fact, the director's recommendations followed very lengthy processes and indeed were not binding on the boards of children's aid societies.

We did not see this as the best way to serve children who are in the care of the children's aid societies. This did not ensure that children were better off because they

were in protection than they were before they were brought into protection. The amendments that were brought forward and approved by this House do give the Ombudsman oversight, because of his jurisdiction, over the Child and Family Services Review Board.

**Mr. Hampton:** Minister, The Ombudsman is very clear. If you look outside of Ontario, other provinces—Alberta, British Columbia, Manitoba, New Brunswick and Nova Scotia—have given their Ombudsmen independent investigative authority to oversee children's aid societies. In three other provinces—Saskatchewan, Quebec and Newfoundland—they've actually created special Ombudspersons. In Ontario, we've had the horrific death of a child who was placed by a CAS with his grandparents, who were known child abusers. The Ombudsman is saying, "Look, you need to make a policy change to ensure that this doesn't happen again." He says that what you've offered up so far is inadequate.

Why does the McGuinty government refuse to give the Ombudsman the independent investigative oversight of children's aid societies to ensure that our children are indeed being protected?

**Hon. Mrs. Chambers:** Last week, a member of the third party actually spoke about the child advocate. I'm very happy to tell you that the child advocate actually spoke to the media over the past weekend, expressing her pleasure with the work that my ministry has been doing to protect children. She spoke about the direction that my ministry has issued in recent months to ensure that every children's aid society provides background checks on all potential adults who could be assigned to care for these kids.

But the leader of the third party might want to be interested in hearing what the coroner has to say: "Mr. Marin also commented on the tragic death of Jeffrey Baldwin. He seemed to suggest that the police were"—

**The Speaker:** Thank you. Please sit down, Minister.

## HYDRO ONE

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Minister of Energy. Last week, you said that you would meet with the boards of directors of Ontario's hydro agencies to discuss outrageous hydro executive pay packages. I want to ask you today, have you held those meetings yet, and if so, what have you found out about those bloated pay packages; and what are you prepared to do to stand up for working families who will have to pay those bloated hydro pay packages on their hydro bills?

**Hon. Donna H. Cansfield (Minister of Energy):** The meetings are in the process of being set up. The first one will be next week.

Just to clarify for the member, it was my request for this meeting so that the chairs of the boards of the various organizations and their compensation committees could give me some understanding of how they arrived at their compensation packages. That's a very reasonable request.



I look forward to meeting with all of the agencies. As you know, there are five of them, so it will take me a little time to get through to all of them.

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**Mr. Hampton:** Minister, I want to ask you specifically about Mr. Parkinson, the chief executive officer of Hydro One. I know that the compensation guidelines stipulate that the board of directors can give Mr. Parkinson a bonus worth 80% of his salary, provided he meets certain performance targets. But Hydro One's board went above and beyond that; they gave him a 90% bonus. This was after he got caught using the Hydro One helicopter to go back and forth to his cottage and after he locked out the Hydro One engineers for three months during a very risky power supply situation.

Can you tell all those people who have to pay for this on their hydro bill how you justify a pay bonus that goes above and beyond even the rules when someone didn't even do his job properly?

**Hon. Mrs. Cansfield:** As the member knows, the board of directors for Hydro One has been put together under the Canadian business act; therefore it is the board itself that hired Mr. Parkinson. He's not an employee of the government of Ontario.

I look forward to having the opportunity to ask the questions and to have some understanding of how they in fact have done their compensation packages. I will do that with all the agencies. I think the questions are good. I look forward to the opportunity of having that conversation. In particular, I look forward to having the conversation with Mr. Bob Rae, who is chair of that compensation committee.

**Mr. Hampton:** Minister, I understand that Bob Rae has been giving lots of raises to lots of Liberals lately. That's not going to be a defence for you anymore.

But Tom Parkinson didn't just get a bumped-up performance bonus; he got a bumped-up performance bonus without meeting performance targets. I refer to the Hydro One report. One of the targets he had to meet was health and safety. The number of workplace accidents and injuries hasn't gone down under Mr. Parkinson's watch; it's gone up every year. So it's almost like bumping up the Toronto Maple Leafs' salaries after they continue to lose games. How could he fail to meet the targets that were set out in the performance review and still get an increase in salary above and beyond anything that could possibly have been called for?

**Hon. Mrs. Cansfield:** Possibly the member can be of some benefit to me in a conversation, because obviously he would have gone through the same process when Mr. Strong was the CEO of Ontario Hydro. He certainly had something like \$93,000 worth of expenses that I'm sure the board had to ask those questions about. So I'd be happy to have the conversation. Certainly there's no question he was paid \$425,000 a year, he spent \$58,600 on airline tickets, he even charged for that limousine—that was back in 1993, so in today's dollars. I'm sure the questions that were asked by the government at that time would be very similar to the questions that are being

asked today. The difference is that that was a crown agency of the government.

## HEALTH CARE

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** My question is for the Minister of Health. Despite the fact that your government claims to be reducing wait times, the number of letters coming into my office is increasing each day, as people tell me they are paying more through the health premium tax of \$2.6 billion, and they are getting less and waiting longer.

Shelley Campagnola wrote, "On December 2, 2005, my husband fell, sustaining a serious head injury," with memory lapses, dizziness and balance issues. "Our doctor tried to get him an MRI, stating that it was urgent—we were told he would have to wait until June 2006."

Minister, that would be a five-month wait for an urgent MRI. MRIs are one of your five key priorities. What do you say to Mrs. Campagnola, her husband and others who are paying more for health, getting less, and waiting longer for much-needed treatment?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** First off, the honourable member I think would know from her time as Minister of Health that it's inappropriate for any minister, and in fact illegal by the provisions of Bill 31, to speak about a particular case. But if we look at the wait time data that is available and that the honourable member's party has some capacity, obviously, to look at, we would know that the median wait times for MRIs in the province of Ontario are at approximately a month. Urgent cases are dealt with much more quickly.

I can say to the honourable member that I realize someone has offered an estimate of time. I'm not sure that's actually what has occurred. If she would like to send that file over, or more appropriately address it to Scott Lovell in my office, we'd be very happy to deal at the local level with the kind of advocacy that seems possible on the member's behalf. But the reality is that in the province of Ontario the median wait time for MRIs is one fifth of that outlined in the estimate that the honourable member raised in the question, and accordingly I do feel quite confident that the gentleman referenced in the letter is going to receive care in a much more timely and appropriate way.

**Mrs. Witmer:** Well, not only are the five priorities not meeting the wait times, but I can tell you that the problem is even more serious in those areas which are not designated key priorities. In fact, Jackie Genereaux, a 39-year-old female, has been waiting to see an orthopaedic surgeon for back surgery since June 2005. She is in pain 24 hours a day. She can no longer work or look after her children, and this is causing financial hardship. She writes, "I did see the new wait time website and money allocated—but there are other conditions that need your attention as well."

Mrs. Genereaux is still waiting. She continues to wait. Why, I ask you, Minister, are she and others paying your



\$2.6-billion health tax and getting less in service and waiting longer?

**Hon. Mr. Smitherman:** On several of the honourable member's assertions—first the honourable member says there's no value for a \$2.6-billion investment. I guess we'll see when the honourable member presents the plan to show us where the \$2.6 billion is coming out of health care. Then we'll see what the honourable member's constituent has to say about that circumstance.

I do think one thing that we have to be very clear on is that the honourable member made an assertion in her question that things are more challenging in other areas. But of course, because the honourable member's government made no investment in actual capacity to measure these things, nobody would really know, would they? We're working strenuously to build a system where one didn't exist.

Let's face one other fact: With respect to orthopaedic surgeons, there is a reason why people are waiting too long, and it's not so much about money as it is that the finite resource of those surgeons is a real challenge. The honourable member had a direct role to play in that when she stood idly by while medical schools in our province were constrained to a size not appropriate for Ontario's growing needs. We're increasing medical schools by—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

#### ELECTRICITY SUPPLY

**Mr. Peter Tabuns (Toronto-Danforth):** I have a question for the Minister of Energy. Madam Minister, I've been instructed by the voters of Toronto-Danforth to send you a loud and clear message: The people of Toronto-Danforth do not want your portlands mega power plant. Will you listen to the community and shelve your misguided plans for a mega power plant?

**Hon. Donna H. Cansfield (Minister of Energy):** I thank the honourable member for his first question in the House, and I'd like to tell him that we will keep the lights on in downtown Toronto. The Independent Electricity System Operator identified an urgent need—"expeditions" was the word that was used—signed by not only Toronto Hydro but Hydro One, the Ontario Power Authority and the Independent Electricity System Operator, that we need to deal with this crisis now, because if we don't, we will have rolling blackouts in downtown Toronto.

You know, it was interesting: I heard just recently that the last time there were some challenges, even by trying to regulate the power flow—the sensitivity of the equipment that is used in our hospitals is such that they need stability, ensuring that their lights and their equipment work. We are committed to that. We will keep the lights on and the power flowing for our hospitals, our schools and our residents in downtown Toronto.

**Mr. Tabuns:** Madam Minister, as you know, there are any number of solutions that are both energy-efficient and will ensure that the lights stay on in downtown

Toronto. Toronto Hydro alone could double their conservation target of 240 megawatts if only they had adequate support from the province.

Minister, I repeat: Will you listen to the community? Stop your plans for a mega power plant and invest in the kinds of real conservation that have worked around the world.

1500

**Hon. Mrs. Cansfield:** I thank the member for the question. As a matter of fact, we did include a 300-megawatt conservation demand-side management for downtown Toronto specifically. Currently, the 250 megawatts that Toronto Hydro is looking at includes all of Toronto. They have 12 of those megawatts; 137 of them are under contract.

The fact of the matter is, we have two years. Time is urgent. We need to be able to keep those lights on. So yes, we will do both. There is no question that the demand side in conservation is just as critical as ensuring that we have sufficient supply. So we will do both. That was the directive that went out. The directive specifically stated that the Ontario Power Authority, Toronto Hydro, the mayor's office and the conservation office are to work together to find those 300 megawatts on behalf of the people in downtown Toronto specifically.

#### ONTARIO DRUG BENEFIT PLAN

**Mr. Bob Delaney (Mississauga West):** My question is for the Minister of Health and Long-Term Care. Minister, as you know, western Mississauga is home to many prominent pharmaceutical firms. They're highly valued as employers and they're centres for ground-breaking research and development. In your statement today, you spoke about some substantive and innovative changes that are coming to the Ontario drug system. I wonder if you could tell our western Mississauga residents a little bit more about the importance of innovation in our drug system.

**Hon. George Smitherman (Minister of Health and Long-Term Care):** The reality for Ontario's drug system is that it's not one, frankly, that's very responsive and it's not one that's very transparent. Accordingly, we think it's fundamentally necessary to make alterations to the way that we deal with drugs in order to provide more timely access for our patients. Especially when what is referred to as a breakthrough drug, a truly innovative product, is available to patients, our procedures in terms of approval related to that are very challenging, very complex, very cumbersome and very slow. I think that the changes that we talk about are to give us the capacity to respond in a more timely way and to be far more transparent.

This is necessary because sometimes products which actually are incrementally beneficial are marketed as if they are breakthrough drugs. We need to be able to provide patients with access to the information they need so that they can see the rationale for decisions and, most appropriately, so we can get breakthrough drugs to our patients much quicker than we can today.



**Mr. Delaney:** In his response, the minister speaks strongly about the importance of innovation, transparency and getting value for taxpayers' money. Some \$3.5 billion is a lot of money, and it's important to my constituents and their employers that taxpayer funds be invested wisely.

Minister, could you please tell us in a bit more detail how that might apply to drug funding decisions?

**Hon. Mr. Smitherman:** One of the best-known adages from the retail world is, "How do we do it? Volume"—not just loud, but quantity. I think the reality for many of us, as we've looked closely at Ontario's drug system, is that even though we stand as one of the largest single purchasers of product to be found anywhere in the world, we're not gaining benefit necessarily of all of the benefit of price. The recognition out there typically is that the highest purchasers receive the best price, but this hasn't been the reality for us.

What we seek to do is to get the best price possible, so that we can dedicate those resources—that efficiency bonus, if you will—to making sure that Ontarians are able to access those new, truly innovative products that can provide them with a degree of relief from the challenges they're facing. Accordingly, we will be striking out in a direction that will get appropriate respect for the volumes that the Ontario taxpayers are paying for their drugs.

#### ONTARIO HUMAN RIGHTS COMMISSION

**Mr. John Tory (Leader of the Opposition):** My question is for the Attorney General. Attorney General, will you please commit here today that you will have a full, open and inclusive consultation process with disabled and minority groups before you introduce legislative changes to the Ontario Human Rights Commission?

**Hon. Michael Bryant (Attorney General):** I want to say that this issue has been before us for many years, that the coroner's report that was commissioned by the NDP government in 1992 made a number of recommendations that really gained a consensus over the years. That's why many people, including past commissioners of the Ontario Human Rights Commission as well as the current human rights commissioner, Barbara Hall—whom I know Mr. Tory has experience of and some respect for—are supportive of moving forward on direct access. We have moved and will continue to move forward on this issue, which the member's party was not remotely interested in when it was in power and did not move forward on.

We're very committed to making these reforms. At the same time, we want to make sure we hear from as many Ontarians as possible along the way.

**Mr. Tory:** I asked for a simple commitment that you would have a full, open and inclusive consultation process before you introduce the bill, and your response is to cite a report that was written 14 years ago as evidence of the kind of consultation you've done.

Many different stakeholder groups are going to be affected—negatively, they believe—by the changes they've read about, and they haven't been consulted. I have here a long list who have written: the Canadian National Institute for the Blind, the Canadian Paraplegic Association, the MS society, the Peterborough Council for Persons with Disabilities, the coalition of Ontario disabilities associations, and Community Living Ontario. These people have written in and said they have not been consulted by you. In fact, some of them have even asked for a meeting with you and have not obtained such a meeting.

I'm asking you very simply: You have said, and your Premier has said, that the human rights tribunal will function as the watchdog, for example, for complaints people have under the new disability legislation, and yet this is the very thing you're going to change without consultation. Will you commit, here and now, to a full, open and inclusive consultation process with these and other groups who want to be heard before you bring a bill to this House? Will you do that?

**Hon. Mr. Bryant:** I note with some interest that the disabilities reporter from the Toronto Star, Helen Henderson, referred to concerns that have been articulated here—by the leader of a party that did nothing on the subject of human rights reform for many years—as Chicken Little. She also said, "This province may be closer than it has ever been to achieving an efficient, effective, accessible means of justice for those whose rights have been trampled."

Cynthia Wilkey: "[This] initiative marks the first time in almost two decades that a government has stepped up to address the long-standing dysfunction...." That's it.

I had a very positive meeting today with Mr. David Lepofsky and the great organization he represents. We had a very good meeting. We had a very good discussion, and I look forward to following up that discussion with him and many other Ontarians in the days to come.

#### TUITION

**Mr. Rosario Marchese (Trinity-Spadina):** My question is to the Minister of Training, Colleges and Universities. Tuition at the University of Toronto law school is set to rise this coming school year to \$17,280 annually. Could you explain what improved quality measures the university will implement to justify this staggering fee?

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** I don't know where the member's question was during his years, when his party allowed tuition to go up 50%. But it's a different day, and we did inherit a long period of time with no investment in colleges and universities. That's why we brought in the Reaching Higher plan. A quarter of the Reaching Higher plan is for improved access to university and college education—\$1.5 billion. That's why, for the first time, we've restored the upfront tuition grant that the member's party eliminated in 1992-93; that's why we increased the amount of assistance for which you're



eligible for the first time since it was frozen by the member's party; and that's why we are investing additional money to ensure that students get more education than they've been able to have in the past.

I'll have more to say in the supplementary.

**Mr. Marchese:** Last September, Statistics Canada reported a 50% decline in the likelihood of enrolment in high-fee programs among students from middle-income families. You've justified gouging students by promising improvements to education, but your secret arrangements with universities have been leaked and they show no plan for improvement at all. At U of T, where students are being forced to pay over \$17,000 in tuition, the faculty contingent will increase by barely 1%. Universities aren't improving quality at all. To quote them, they are "treading water."

Will you make these so-called accountability agreements publicly available so students can see exactly what they're getting?

1510

**Hon. Mr. Bentley:** In fact, we've always said the agreements would be publicly available, and they'll be released quite shortly, but we had to wait until they were all signed. It's a multi-step process. For the first time ever, universities and colleges are being asked to justify what they'll do with the money before they get it. This year, the first year, was an interim process. Now we're involved in the multi-year, the three-year discussions. Those discussions will involve not only quality improvements but access improvements, something the member didn't seem to be interested in when he had the ability to do something as the government.

With our new tuition framework, one of the key goals is to ensure that more Ontarians are going to have greater access to post-secondary education. Under our approach, already more students have greater access to more assistance, and more of it is in grants, than ever before. That's the approach we'll be following as we continue our discussions with universities and colleges in the future.

## RENEWABLE FUELS

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** My question is for the Minister of Energy. Last month you announced that the government has directed the Ontario Power Authority to implement a standard offer program for small-scale renewable projects. This is an exciting time for renewables, first with our RFP projects that are bringing on over 1,300 megawatts of wind and now the standard offer program, which will help to add up to 1,000 megawatts of renewable energy to Ontario's electricity supply over the next 10 years.

Since that announcement, there has been some confusion about the program. I've read letters that question the difference between the standard offer program and net metering—something that Ontarians already benefit from. Minister, could you please clarify how the standard offer program differs from net metering?

**Hon. Donna H. Cansfield (Minister of Energy):** Thank you for the question. Net metering is 500 kilowatts of generation that, for example, a farmer could generate on the farm. If they don't use it all they can actually bank it into the grid and then draw it down as it's needed. The standard offer, on the other hand, is a fixed-price, long-term contract for projects around 10 megawatts and under for wind, water, solar, biomass—for example, biodigesters.

I can tell you that I was up in Strathroy, and the farming community is really excited about the possibilities of what can happen with the standard offer contract.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** David Suzuki likes it.

**Hon. Mrs. Cansfield:** Well, I'm telling you, everybody likes it. So it's our responsibility to ensure that this does happen on behalf of the farming community, because they not only can generate sufficient electricity to run their own farms but in fact can help us by generating electricity to sell back into the grid at the local level, which is really where it is needed.

**Mr. Berardinetti:** Thank you, Minister. Just picking up on what you said about the fact that it's locally driven, I have met with constituents in my riding of Scarborough Southwest who have asked me questions about small-scale renewable projects such as windmills and solar-power panels. These are residents, as well as some businesses in my area, located right in the riding of Scarborough Southwest here in Toronto. They want to generate their own energy, their own power for their own buildings. They want to play a part in the standard offer program, but they need more information on its specifics. Minister, I want to ask you, what information can you share with people watching today about what projects are eligible for a standard offer contract?

**Hon. Mrs. Cansfield:** Thank you for the question. The most important thing that folks can do is to go to the Ontario Power Authority website, [www.opa.com](http://www.opa.com). They'll be able to draw down all the necessary criteria to participate in any of the four areas—wind, water, biomass or solar voltaics. They also need to work very closely with their local distribution company, because they need to be able to hook into the local grid, and, of course, with the Ontario Energy Board, which has responsibility for the regulatory oversight.

There are people in place to help someone who wishes to put small solar voltaic panels on their roof or someone who wishes to put in a 10-megawatt run of the river or a wind turbine of one or one and a half megawatts on their farm. All the criteria are laid out on the website, and they can call the person directly who has the support for the renewables within the Ontario Power Authority itself.

## FISH AND WILDLIFE MANAGEMENT

**Mr. Norm Miller (Parry Sound-Muskoka):** I have a question for the Minister of Natural Resources regarding cutbacks in fish stocking. I've heard from the Con-



servationists of Frontenac-Addington—and to give you some history, COFA is a non-profit group. For the last 11 years, they have been building their pickerel hatchery. They have been encouraged by the Ministry of Natural Resources to expand that hatchery. They have some 40 to 50 volunteers. Now they have a capacity of some 3.3 million eggs, and that's what they've been delivering in recent years. They have never had a success rate below 70%. But now you're cutting them back to some 200,000 eggs this year. Why has the MNR pulled support for the Conservationists of Frontenac-Addington? Why are you reducing stocking of the most sought-after game fish in North America—pickerel?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** The preservation and conservation of wildlife in Ontario is of prime importance to the McGuinty government. I would say to the member that when you look at the big picture of how to do that, one of the most important aspects of conservation with regard to fish stock is improvement of habitat. It certainly was the prime method years ago to have what they would call a put-and-take fishery, whereby you artificially raise fish, put them in a lake and then take them out via anglers, but we've understood over the years that the proper way to do that is to improve habitat. That's where a lot of our thrust is today.

**The Speaker (Hon. Michael A. Brown):** Supplementary, the member for Oshawa.

**Mr. Jerry J. Ouellette (Oshawa):** In regards to that, I know there are a lot of partner hatcheries throughout the province who have similar concerns. As recently as last Friday, Minister, I happened to be with seven classrooms who were doing a rainbow trout egg collection. The concern that came forward comes from the article in the April issue of Ontario Out of Doors, where it specifically says, "At the recent OFAH conference, Minister of Natural Resources David Ramsay said the ministry is moving away from stocking and that Chinook stocking will eventually end." There is a lot of concern in regards to this; there are a lot of charter boat operators and tourism operations concerned with how it would have a huge impact. What is the ministry's position going to be in regard to Chinook stocking?

**Hon. Mr. Ramsay:** I think the member knows that the ministry—while it was under his watch also—became very interested in improving habitat and the environment of our waterways, especially the Great Lakes, and that we have embarked upon the idea of actually reintroducing the Atlantic salmon, which is the fish native to the Great Lakes. It was years ago that someone had made a decision to put a Pacific salmon in the Great Lakes.

As you know, we've done our DNA research. We've discovered, by looking at many of our grandfathers' mounted fish on the wall, by looking at the scales, what is exactly the right match. It turns out that that fish exists today off the Argentinian coast. We're looking at that and looking at getting the Great Lakes back to the natural habitat that they were years and years ago.

## TENANT PROTECTION

**Mr. Michael Prue (Beaches-East York):** My question is to the Minister of Municipal Affairs and Housing. On Saturday, I attended a tenant rally at 500 Dawes Road. These people are forced to live under absolutely appalling conditions. Often, there's no hot water. There is garbage on the front lawn. There is garbage all over the site: There's garbage in the halls and there's garbage on the overhang of the doorway. There are more cockroaches than I think you would ever want to see in your lifetime.

You promised tenant protection legislation one year to the day, at the latest, after your election. Today is day 920. I'm counting, and the tenants are counting too. Minister, you are nearly 600 days late on your time commitment. How much longer must the tenants endure this neglect?

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing):** Let me first of all state that the kind of conditions that have been described by the member and that we've all heard about in the media over the weekend are totally unacceptable. But as the member also knows, he can certainly have the property standards officers of the municipality take a look at the situation. They can deal with the situation. We don't necessarily need the Tenant Protection Act to deal with that kind of a situation. It's also possible, under the current Tenant Protection Act, for a tenant or tenants to make an application to the Ontario Rental Housing Tribunal. I would suggest to the member and to the individuals who are involved in this particular situation to take advantage of that: either to make an application to the Ontario Rental Housing Tribunal or to speak to the appropriate officials at city hall to make sure that, from a property standards viewpoint, the building is up to date. The tenants certainly have the right to live in—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

1520

**Mr. Prue:** As the minister knows, or should know, there are five outstanding work orders from the city of Toronto. As the minister knows, or should know, the people who are in there have been forced and coerced by the landlord not to say anything. They are suffering, Minister. The tenants at 500 Dawes Road and thousands more across Ontario are tired of your rhetoric. They're tired of the broken promise. They want action. They need new tenant protection legislation, which your party said was coming in within 365 days and which you said was absolutely necessary. Bad landlords cannot be allowed to provide substandard housing any longer and hide under the present Tenant Protection Act. When will you introduce real tenant protection and real rent control? When, more importantly, will you keep your promise?

**Hon. Mr. Gerretsen:** As I've indicated to this member and to the House before, we will be bringing in new landlord and tenant legislation within the very near future. There have been over 30 years of attempts to



bring this kind of legislation forward. It has swung from one extreme to the other. We want to make sure the legislation that we bring in is fair to both good landlords and good tenants and will deal with the situations of bad landlords and bad tenants.

He also knows, with respect to the work orders that he mentioned, that the city can take corrective action immediately in order to deal with those if the city really intended to do so. I would suggest that since he still has contacts at city hall, he can contact city hall to make sure the work orders are being complied with, and I ask him to stay tuned with respect to the new landlord and tenant legislation that will be brought in sooner rather than later.

### STUDENT ASSISTANCE

**Mr. Kevin Daniel Flynn (Oakville):** My question today is for the Minister of Training, Colleges and Universities. As you well know, this is an exciting time of year for the graduating high school students in my riding of Oakville and around the province. Soon they'll be starting new jobs, they'll be working as apprentices, and they'll be going off to college and university.

When talking to students and parents in my riding, I tell them about the programs the Ontario government offers to assist them in their post-secondary studies, some of the changes that have been made recently. Minister, will you tell all the students and parents in my riding and across the province of the new improvements and the enhancements made to our student financial aid system in Ontario?

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** I'm pleased to address the issue raised by the good member from Oakville, who is a passionate advocate for access for all to post-secondary education and, in particular, access to Sheridan College's education.

For about 12 years before we became the government, there were no substantial improvements at all to the Ontario student assistance program. So what have we done, just this year and last, in improving access to students?

First of all, 60,000 students this September will be eligible for upfront tuition grants covering anywhere from 25% to 100% of their tuition. Those grants had been cut by the NDP in 1992-93. We've increased the amount of assistance that's available to all by 25%.

We've recognized costs that had never been updated before, such as the book allowance cost, which hadn't been updated since the mid-1980s. We've recognized computer costs that had never been recognized from the student assistance program. And we are about to be cut off.

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Mr. Flynn:** I'm sure the parents and students in Ontario will be relieved to see some of the action that will be taking place now after the years of inaction, stagnation and freezes by previous governments.

Minister, this is also the time of year that our college and university students will be graduating and they'll be moving on to new jobs or new programs. I've been made aware of a program in your ministry called the Ontario student opportunity grant, or OSOG. I understand this is a good program that helps new graduates but is not well known by students at this point in time. Could you please tell the people of my riding of Oakville and the people of the province about this program, how it helps graduates, and how the recent improvements in the OSAP program have also affected this program?

**Hon. Mr. Bentley:** What it does is limit the amount of repayable loan for students. When we increased student assistance by 25% last year for the first time, up to \$11,900 as a maximum, we said to any student, "No matter how much you get, you don't have to pay a penny more than \$7,000 of it." So there can be up to a maximum of \$4,900 in grants for students qualifying for student assistance. It's part of our commitment to improve access for students: You limit the repayable but you increase the amount of assistance you can actually have access to.

Some of the other things we've done: We have improved debt relief for students once they've graduated; improved interest relief for students once they graduate. It's part of our commitment to ensure that all students have access to an affordable post-secondary education, the best quality possible.

### LONG-TERM CARE

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** My question is for the Minister of Health and Long-Term Care. Minister, you promised a revolution in health care, a revolution in long-term care. What you've created in long-term care in this province is a crisis. You promised \$6,000 per resident of long-term-care centres in this province; \$2,000 of that has flowed. That doesn't even cover the increased costs of supplies, wages, and heat and hydro, which your government is responsible for.

When are you going to admit that you have broken your promise to long-term-care centres, that you have broken your promise to the most vulnerable residents in this province? Will you make good on your word and fund those—you didn't even talk about them in the budget—give them the money that they are due now to provide that care to our most vulnerable residents?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** Here we have yet another example of the propensity of the opposition party to get both sides of the matter corralled. On the one hand, they've got the capacity to be able to reduce health care expenditure by \$2.6 billion. On the other hand, the honourable member stands in his place today and says that our investment in long-term care this year of 157 million new dollars, or a 5.8% funding increase, isn't enough.

The reality is that, based on the work of our colleague from Nipissing, Monique Smith, we have been working very, very carefully with the long-term-care sector, whom I addressed at their conference today. Much pro-



gress has been made—much progress that local communities and our more than 600 long-term-care homes can celebrate.

I would agree with the honourable member only on one point: On this file, as on all others in health care, there is more work to do. Accordingly, we have considerable energy to do it, and alongside our allies and partners in health care, like the Ontario Long Term Care Association, we will.

**Mr. Yakabuski:** When I met with long-term-care providers in my riding last week, I have never seen them more discouraged with the response of government to their needs, never more discouraged at any time that I've met with them. What you gave them was a 1.98% acuity increase this year, and 1.98% doesn't cover the costs at all.

Minister, you've given them all kinds of new jobs to do—new standards, new forms, new paperwork—but none of the funding to address them. You are turning your back on our most vulnerable citizens. Are you going to come through on your word, or do those people simply not matter to the McGuinty Liberal government?

**Hon. Mr. Smitherman:** There we go with the cheap ending, but you notice that the primary question is left unanswered. They were discouraged, were they? Imagine how discouraged they must have been, then, when you told them about your party's plan to cut health care spending by \$2.6 billion. What was the step below discouragement? That's the one they must be prepared for, were they ever to hand the responsibility to the honourable member and to his party.

Across the breadth of long-term care we've made resource increases, not just the ones the member speaks about but also for specific initiatives. Today I was very pleased to be able to announce \$2.4 million worth of funding to provide training to more than 5,000 people who are providing assistance to our loved ones in long-term care, some of the most vulnerable, dealing with Alzheimer and serious dementia. We have the capacity, across the breadth of more than 600 long-term-care homes, to provide a very high level of care to our most vulnerable, and we will—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

1530

#### NORTHERN ECONOMY

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Minister of Transportation. The Thunder Bay area has already lost over 1,000 good manufacturing jobs, thanks to the McGuinty government. Today, they found out that the McGuinty government is going to allow the city of Ottawa to have their light rail transit cars built in either California or Germany, even though the project is being funded by the taxpayers of Ontario.

Minister, you could have prevented this. You could have said, "Those cars will be built at the Bombardier

plant in Thunder Bay." Why didn't you? Why are you ignoring the economy and the needs of northern Ontario?

**Hon. Harinder S. Takhar (Minister of Transportation):** Let me tell you what we have done for Bombardier and for the city of Thunder Bay.

Since 2003, GO Transit has purchased about 50 bi-level rail cars from Bombardier. The total investment has been about \$140 million. After decades, we are the first government that is making record investments in public transit, which directly or indirectly is going to benefit Bombardier one way or the other. We are very proud of what we have done for transit from that point of view, and we look forward to working with Bombardier and other companies as well.

#### VISITOR

**Mr. Norm Miller (Parry Sound–Muskoka):** On a point of order, Mr. Speaker: I want to take this opportunity to introduce my son Stuart, who's here visiting from the University of Guelph—studying for exams—in the members' west gallery.

#### PETITIONS

##### LONG-TERM CARE

**Mr. Bill Murdoch (Bruce–Grey–Owen Sound):** I have a petition to the Legislative Assembly of Ontario.

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years."

I've also signed this.

##### DISABILITY BENEFITS

**Ms. Andrea Horwath (Hamilton East):** I have a petition to the Legislative Assembly of Ontario.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:



"People with disabilities are entitled to the full support of their government with respect to income security and the dignity of a job; and

"The Ontario disability support plan does not provide an adequate income to cover the ever-increasing costs of living that people with disabilities face, and those who receive ODSP and find employment are punished with an earnings exemption that is far too low and needs to be increased; and

"An ODSP recipient will have their earnings clawed back by the McGuinty Liberal government if they earn more than just \$160 a month as an individual or only \$235 a month as a family; and

"Employment not only gives people on ODSP the dignity of a job and the pride in making meaningful contributions to their community; it also enables them to augment Ontario's inadequate disability cheque and keep up with the ever-rising cost of living;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario for an immediate increase to the employment earnings exemption threshold for ODSP recipients so they are able to keep more of what they earn without the government clawing back their disability support."

I agree with this petition and send it down to the table by way of Leah.

#### MACULAR DEGENERATION

**Mr. Kim Craiton (Niagara Falls):** I'm pleased to introduce this petition on behalf of my riding of Niagara Falls, and the petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario's health insurance plan covers treatments for one form of macular degeneration (wet), and there are other forms of macular degeneration (dry) that are not covered,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"There are thousands of Ontarians who suffer from macular degeneration, resulting in loss of sight if treatment is not pursued. Treatment costs for this disease are astronomical for most individuals and add a financial burden to their lives. Their only alternative is loss of sight. We believe the government of Ontario should cover treatment for all forms of macular degeneration through the Ontario health insurance program."

I'm pleased to support this petition and give it to page Mark to deliver to you.

#### GASOLINE PRICES

**Ms. Lisa MacLeod (Nepean-Carleton):** I'm pleased to present this petition in the House today:

"Whereas gasoline prices have continued to increase at alarming rates in recent months; and

"Whereas the high and unstable gas prices across Ontario have caused confusion and unfair hardship to

Ontario's drivers while also impacting the Ontario economy in key sectors such as tourism and transportation;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario consider an immediate gas price freeze for a temporary period until world oil prices moderate; and

"That the provincial government petition the federal Liberal government to step up to the plate and lower gas prices by removing the GST on gasoline products and fix the federal Competition Act to ensure consumers are protected and that the market operates in a fair and transparent manner."

I'm pleased to affix my signature and send it.

#### SOCIAL SERVICES FUNDING

**Mr. Tim Peterson (Mississauga South):** I have a petition for the Legislative Assembly.

"Whereas the population of the region of Peel has been experiencing significant growth for the past 15 years and now has the second-highest growth rate in the province;

"Whereas demand for social services in Peel has exploded as a result of the population and other social changes;

"Whereas provincial social services funding has not responded to the increases in population, and therefore the people of the region of Peel receive 50% less funding on a per capita basis than the average provincial per-capita funding for social programs;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Community and Social Services and the Ministry of Children and Youth Services correct the funding inequity in all of their social programs with new funding formulas that address population and needs."

I'm happy to affix my signature to this petition.

#### LONG-TERM CARE

**Mrs. Christine Elliott (Whitby-Ajax):** I'm pleased to present this petition to the Legislature on behalf of Extendicare Canada.

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;



"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I'm pleased to affix my signature thereto in support.

#### EDUCATION FUNDING

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** I have a petition here to the Ontario Legislature to end discrimination.

"Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding, solely because they are not Catholic;

"Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

"Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

"Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

"Whereas Ontario is the only western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces except the Atlantic provinces fund faith-based schools and have thriving public school systems;

**1540**

"Whereas the cultural survival of the affected minority groups is at stake; and

"Whereas faith-based schools produce responsible and productive citizens; and

"Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable and protects and enhances the public interest;

"We call on the Ontario Legislature to pass legislation to provide equitable funding in respect of all faith-based schools in Ontario without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded."

I affix my name to this petition and send it down to the table with Sharmarke.

#### LONG-TERM CARE

**Mr. Kevin Daniel Flynn (Oakville):** I've got a petition that I've been asked to read into the record by the family advisory committee of Wyndham Manor in Oakville. It reads:

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is ... not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

#### ORGAN DONATION

**Mr. Jerry J. Ouellette (Oshawa):** I have a petition to the Legislative Assembly of Ontario.

"Whereas 1,920 Ontarians are currently on a waiting list for an organ transplant; and

"Whereas the number of Ontarians waiting for an organ transplant has virtually doubled since 1994; and

"Whereas hundreds die every year waiting for an organ transplant; and

"Whereas greater public education and awareness will increase the number of people who sign their organ donor cards and increase the availability of organ transplants for Ontarians; and

"Whereas the private member's bill proposed by Oak Ridges MPP Frank Klees will require every resident 16 years of age and older to complete an organ donation question when applying for or renewing a driver's licence or provincial health card, thereby increasing public awareness of the importance of organ donation while respecting the right of every person to make a personal decision regarding the important issue of organ donation;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 67, the Organ and Tissue Donation Mandatory Declaration Act, 2006."

I affix my signature in support.



### SCHOOL BUS SAFETY

**Mr. Ernie Parsons (Prince Edward–Hastings):** “To the Legislative Assembly of Ontario:

“Where it has been shown that crossing control arms on school buses reduce or virtually eliminate instances of students being struck by their own bus; and

“Whereas 91% of all front-bumper fatalities involve buses not equipped with crossing control arms; and

“Whereas the safety of the children of Ontario is our number one priority;

“We, the undersigned, petition the Legislative Assembly of Ontario to require that all future school buses be equipped with crossing control arms and that all existing school buses be required to be immediately retrofitted with crossing control arms.”

I’m pleased to add my signature to this petition.

### LONG-TERM CARE

**Mr. John O’Toole (Durham):** I’m pleased to present a petition on behalf of Fosterbrooke Long-Term Care: Tina Bravos, the administrator; Jessie Watkins, the resident council president; and Marjorie Caswell, family council representative. It reads as follows:

“Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

“Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

“Whereas those unacceptable care and service levels are now at risk of declining;

“We, the undersigned, who are members of family councils, residents’ councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007).”

I’m pleased to sign this in support of long-term care.

### MACULAR DEGENERATION

**Mr. Garfield Dunlop (Simcoe North):** “To the Legislative Assembly of Ontario:

“Whereas age-related macular degeneration (AMD) is the leading cause of blindness in the elderly and is present in some form in 25% to 33% of seniors over the age of 75. AMD has two forms: the more common ‘dry’ type and the ‘wet’ type. Although the wet type occurs in only 15% of AMD patients, these patients account for

90% of the legal blindness that occurs with AMD. The wet type is further subdivided into classic and occult subtypes, based on the appearance of the AMD on special testing. Photodynamic therapy, a treatment where abnormal blood vessels are closed with a laser-activated chemical, has been shown to slow the progression of vision loss in both subtypes of wet AMD;

“Whereas OHIP has not extended coverage for photodynamic therapy to the occult subtype of wet AMD, despite there being substantial clinical evidence demonstrating the effectiveness of this treatment in patients with either form of wet AMD. Untreated, these patients can expect a progression in their visual loss, with central blindness as the end result;

“Whereas affected patients are in a position where a proven treatment is available to help preserve their vision, but this treatment can only be accessed at their own personal expense. Treatment costs are between \$12,500 and \$18,000 over an 18-month period. Many patients resign themselves to a continued worsening of their vision, as for them the treatment is financially unattainable. The resultant blindness in these patients manifests itself as costs to society in other forms, such as an increased need for home care, missed time from work for family members providing care, and an increased rate of injuries such as hip fractures that can be directly attributable to their poor vision.

“We, the undersigned, petition the Legislative Assembly of Ontario to fund the treatment of the occult subtype of macular degeneration with photodynamic therapy for all patients awaiting this service.”

I’m very pleased to sign my name to this as well.

### EDUCATION FUNDING

**Mr. Ernie Hardeman (Oxford):** I have here a petition similar to some of the others, but I think it’s appropriate to read it on behalf of all the good citizens of Oxford county who signed the petition.

“Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding, solely because they are not Catholic;

“Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

“Whereas all three parties represented in the Legislature support Catholic separate school funding as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

“Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

“Whereas Ontario is the only western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces



except the Atlantic provinces fund faith-based schools and have thriving public school systems;

“Whereas the cultural survival of the affected minority groups is at stake;

“Whereas faith-based schools produce responsible and productive citizens; and

“Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable, and protects and enhances the public interest;

“We call on the Ontario Legislature to pass legislation to provide equitable funding in respect of all faith-based schools in Ontario, without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded.”

I present this petition on behalf of residents of the county of Oxford.

## ORDERS OF THE DAY

### EMERGENCY MANAGEMENT STATUTE LAW AMENDMENT ACT, 2006 LOI DE 2006 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA GESTION DES SITUATIONS D'URGENCE

Resuming the debate adjourned on April 6, 2006, on the motion for second reading of Bill 56, An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997 / *Projet de loi 56, Loi modifiant la Loi sur la gestion des situations d'urgence, la Loi de 2000 sur les normes d'emploi et la Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail.*

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Beaches–East York had the floor when we last debated this.

**Mr. Michael Prue (Beaches–East York):** I see I have four minutes and 18 seconds left, so I will do my best.

On the last occasion, for the first 16 minutes, or nearly 16 minutes, I talked about the bill itself: how the bill was an extraordinary bill in that it would grant powers to the province and to the Premier in case there was an emergency of such a magnitude that it was deemed to be necessary. Some of the debate that I witnessed earlier that day by other members of this Legislature seemed to me to indicate that it was not really understood how and when such a bill as this one on emergency management would ever be instituted, because some people talked about a borer beetle being an emergency, or raccoon rabies being an emergency, or a flood being an emergency, or a forest fire, and they went on and on about

those. Quite frankly, I would hope that many of the situations that Ontarians find themselves in year after year, whether it be a forest fire or a flood, or even in the time of our SARS epidemic, or bird flu—we have managed quite well without this emergency management. I say that because this is a very tough bill; it's a draconian bill. I gave as an example an earthquake of the magnitude of that which was inflicted upon Pakistan about a year or so ago, where tens of thousands of buildings were destroyed and hundreds of thousands of people lost their lives. Then, of course, we would need such a document. But, as has been described by most of the members of the Legislature, this ought not ever to really happen in the scenarios that most of them have outlined.

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Part of the reason I'm saying that is because of what you can find in the bill on page 10, subsection 13.1(1). I'd just like to read these two sections, because this is how tough and how draconian this bill can be. It says, “Nothing done under this act or under an order made under this act constitutes an expropriation or injurious affection for the purposes of the Expropriations Act or otherwise at law and there is no compensation for the loss, including a taking, of any real or personal property except in accordance with subsection (3).” What that means in layman's terms is that if the government appropriates your land or your property or your car or your truck or your boat, or whatever is deemed necessary, there is no compensation except as occurs under subsection (3).

For clarification, subsection (3) says, “If, as a result of making an order under subsection 7.0.2(4), a person suffers the loss, including a taking, of any real or personal property, the Lieutenant Governor in Council may by order authorize the reasonable compensation of the person for the loss in accordance with such guidelines as may be approved by the Lieutenant Governor in Council.” What that means, in layman's terms, is that the government would set how much they thought you lost for your boat, for your house, for your car, for whatever property was seized or whatever property was used, and you would have to take it, and there is no redress through the courts. I'm telling you, this is quite a draconian measure.

Now, I can understand, in a time of natural calamity, I can understand, in a time where we have gone and experienced something in Ontario which I hope we never experience, that such a bill may be necessary. I can see that it would be necessary should there be an earthquake, as I said earlier, of the magnitude of Pakistan, or the tsunami that affected much of the world the year before that. But quite frankly, this is not something that Ontarians should welcome. Ontarians may need it, but be very, very careful. When this goes to committee, we want to define what kind of a province-wide calamity would ever need the exercise, because I do not want to see it even in the event that we should be revisited with SARS; I do not want to see it for the bird flu or the raccoon rabies or the borer beetle or the other things that members of this



Legislature have talked about. This bill goes far too far for those commonplace occurrences.

**The Deputy Speaker:** Questions and comments?

**Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge):** I had the opportunity to hear the member from Beaches–East York both the last time the bill was before us and in his few minutes that were left in the course of today. I do want to say that I believe the legislation is important. I appreciate his comments, that he may feel that to some extent it might be considered overkill. But the reality is, you want to have in place the legislative framework that provides authority for the government to act in the event of an emergency that is determined to be of a scale or a nature that affects all or a part of the province of Ontario such that it can be dealt with in an effective fashion.

It's no longer good enough for us, after the experiences of a couple of years back, where we had the SARS situation and the blackout, both in rapid succession, to say that we really don't need this; we can't imagine that there would ever be a situation where this level of authority would be required. We really don't want, I don't believe, the government of the day, the Premier or others, coming back to this Legislature after the fact and effectively begging forgiveness for the actions they took because they didn't have the authority to do what was necessary.

We also want, I think, the opportunity to ensure that when those actions are being taken, in spite of the fact that we would all look to the leaders then and say, "They're doing a great job and we're sure they're acting in the public interest"—we want to have the opportunity as a legislative body to be able to keep them accountable, whether it's the government itself or the loyal opposition in their role, to make governments accountable in this place for actions of this magnitude. I can see where an avian flu epidemic might very well require a part or more of the province to be declared an area where an emergency is in place. I could see, where there was an earthquake—and that potential always exists—the need for that. I can see, where there's a significant tornado or a calamity of that nature, that that might require a part of the province to be declared an emergency. I think it's important to have the authority to act, but equally important to ensure that the bodies who are acting are accountable to the people of Ontario through this Legislature.

**Mr. John O'Toole (Durham):** I'm pleased to respond to the member from Beaches–East York, because I think he does raise a very fundamental issue of rights and appropriateness. I'm troubled when I think of the famous Liberal statement during the FLQ crisis. At that time I was living in Quebec. Pierre Trudeau said, "Just watch me," when he implemented the War Measures Act.

It goes too far, as has been pointed out. If you read even the preamble, you'll see that offences under section 7.0.13, for example, are up to \$10 million for corporations, \$500,000 for corporate directors and \$100,000 per person for simple violations.

The exclusions here are quite another thing. If you look at section 13.1—this is with respect to, "constitutes

an expropriation or injurious affection for the purpose of the Expropriations Act," generally, compensation is not paid for loss of property. It exempts the Premier. The appropriateness of when and where and if this particular act is invoked certainly requires good, sound judgment.

I would say that what's missing here is further debate. I would think, as with any measure, as they are doing in Ottawa today, that there would be an appropriate amount of time given for debate and unanimous consent before the invoking of any of the kinds of what I would call draconian measures in here, powers that reflect back—as I said earlier, similar to the War Measures Act. So it's a long time waiting. We do need to prepare for emergencies. If you're not prepared, of course, you will pay the consequences. But again, I just want to be somewhat reflective for a moment on the powers of Dalton McGuinty; I'm troubled there. During the election he made a lot of promises, and maybe after the election he sort of broke most of them. It's in that context that I support the member from Beaches–East York's concern with what the real government agenda is here.

**Ms. Shelley Martel (Nickel Belt):** I just want to follow up on the points that were made by the member with respect to some other members talking about the need for these extraordinary powers and relating that to the context or situations involving either fire protection, fire emergencies or rabies control. I've listened to one day of debate and I didn't hear anybody say that, but I guess on a second day there were some folks who were starting to reference that as the need for this bill. I've got to tell you, that is stretching it really far. The Ministry of Natural Resources, for a number of years now, has instituted a rabies control program that has been extended, in fact, to many jurisdictions in the United States. It is very successful. It is very effective. The staff who were involved in that program at the onset of it did a great job, and our program is the envy of a number of other jurisdictions. So to suggest for one second that we would need these kinds of measures to deal with a rabies outbreak is just ridiculous.

Secondly, the MNR has long-standing procedures in place with respect to fire suppression, fire control, fire emergencies. I hear regularly every summer, as we head into fire season, Bob Thomas in Sault Ste. Marie giving us a regular update on CBC at home about how many planes are in the air, how many staff are out and how we are helping other jurisdictions when we have to. Again, the MNR has long-standing policies, protocols, procedures and agreements with other jurisdictions to deal with fire, not just in Ontario but when we send fire crews elsewhere. So to use that or this bill as a reason to deal with fire is kind of silly as well.

Why should we be concerned about this extraordinary power? Well, from my perspective, because Justice Archie Campbell has said very publicly that he has a concern about the extraordinary powers that are listed here. When someone of his stature, who did the work that he did on SARS, raises that publicly, then we should all take heed.



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**Mr. Bas Balkissoon (Scarborough–Rouge River):** I just want to add to the comments of the previous speakers such as to clarify a few items. It was just stated that the existing legislation is working well to deal with emergencies. That may be so, if the emergency is confined. As the minister said the last time we debated this bill, the Emergency Management Act that we have today worked well in Peterborough because we were dealing with a situation confined to one community. It was a flood. But let me say to you that the current Emergency Management Act does not work very well for the government. Some of you will remember that during the blackout the gas pumps were shut down. When the power was restored, we actually had service stations gouging the public on the price of gas because there were lineups at the pumps etc. This bill will give the government that needed power to fix prices when you have a situation like that again. We want to make sure that the public is not gouged.

If you had another epidemic in Ontario and you wanted to attract volunteers and professionals from outside of our jurisdiction, this bill makes for easy deployment of those professionals, rather than having to go through the rigours of making sure that they are qualified, that they have the right certification from the professional association before they can practise in our province. It makes it easy to deploy these professionals, like firefighters, doctors, medical staff on the whole, police etc.

The government has made it very clear that this bill would only be used when you have extraordinary circumstances.

**The Deputy Speaker:** The member for Beaches–East York, you have two minutes to respond.

**Mr. Prue:** I thank the members from Pickering–Ajax–Uxbridge, Durham, Nickel Belt and Scarborough–Rouge River. They all had very valid comments to make, and I thank them for their kind comments.

In the minute and a half I have left, I'd like to talk about the final statement made by the member from Scarborough–Rouge River, because I think this is the point of this entire exercise: We need to define what is a province-wide emergency that the other emergency management structures that we have had in place for a century would not be capable of handling. When I go back into my own lifetime, I'm trying to think of the emergencies that I think have been handled so beautifully and so well by our communities over all that time without an act like this. There was, of course, the Peterborough flood of just a year or so ago. There was the SARS epidemic in Toronto and its environs. There was the electricity shutdown for three or four days.

**Mr. Arthurs:** Hurricane Hazel.

**Mr. Prue:** I'm getting to that. There was the flooding of the Red River, not in our province but in Manitoba—I can remember that quite distinctly—the tornado in Barrie and, of course, Hurricane Hazel, the biggest one of them all. None of those required an emergency management

system of the scope or nature of what we are arguing today.

**Mr. Dave Levac (Brant):** The ice storm.

**Mr. Prue:** The ice storm is another one. There's another good one. It did not require the emergency management bill that we have before us today.

I want us to be very careful as a Legislature. Is there a possibility that something could eclipse all of these? Is there something that could be so large that we would need this bill? I would say that there is always that possibility, and that is why I'm not going to say to not do the bill, but I want people to understand that it has to be in the most extraordinary of circumstances where you take away people's property without compensation, and in the most extraordinary of circumstances where you force them, against their will, to do things for government benefit.

**The Deputy Speaker:** Further debate? The member for Kitchener–Waterloo.

**Mrs. Liz Sandals (Guelph–Wellington):** Guelph–Wellington.

**The Deputy Speaker:** Guelph–Wellington. I have you moving.

**Mrs. Sandals:** I'm actually going to stay in Guelph. It's a very nice place, so I'm going to stay there.

I'm very pleased to rise and speak to Bill 56, the emergency management amendment act. I'd like to start off by talking about what this is not, because I agree with the previous speakers. I was sitting eating dinner the other night after I'd gone back to Guelph and was quite appalled to hear a catalogue of some of the things that were being suggested as being subject to this bill. Things like recurring spring floods, rabies in raccoons and maybe even avian flu, as long as it is confined to the bird population, are not—and I want to emphasize “not”—subjects of this legislation. In fact, there's already legislation on the books which deals with local municipal emergencies, and that legislation continues to exist. Municipalities are responsible for having an emergency plan at the local level, and that continues to exist.

This is about things that would qualify as provincial emergencies. Two examples of things that have been declared provincial emergencies in the recent past are the SARS outbreak and the massive blackout we had in the summer of 2003. Those were provincial emergencies. Other things that you might imagine would be declared provincial emergencies: The ice storm in eastern Ontario might have qualified, and certainly something like a major terrorist attack like 9/11. Something like the damage from Hurricane Katrina that we saw in New Orleans this past year would certainly be the sort of thing that's contemplated. These are very serious events that are contemplated as being controlled by a provincial emergency, which is what this is specifically about.

How did we get here? People have mentioned that the SARS provincial emergency and the provincial blackout were in fact generally well managed, and we don't argue about this. But what the previous speaker might be surprised to know is that in the management of those



emergencies, it's questionable whether the orders given were actually based on legislative authority; that is, while those emergencies were well managed, they were not necessarily based on the sort of authority.

We, as a government, believe that if you are going to manage a major emergency at the provincial level, you need a sound legislative basis on which to build that. In fact, all nine other provinces have legislation very similar to the legislation that is proposed here. Ontario, in fact, is the odd province out in lacking basic provincial emergency management legislation. Quite frankly, the bottom line here is that our government is trying to correct that oversight and make sure we have a proper provincial framework for managing major egregious emergencies.

How did we get to Bill 56? When we came into government, the Premier actually asked an all-party committee to look at the whole issue of provincial emergency management, and this bill is largely based on the work that committee did. That committee held extensive hearings. It talked with people who, by invitation, had some expertise in managing emergencies. We talked to hospitals and health workers. We talked to emergency workers. We talked to utility companies. We talked to people who had had past experience managing emergencies. That actually included politicians who had had past experience.

One of the people we talked to, for example, was Tony Clement, the Minister of Health at the time of the SARS crisis. He came and talked about his experience. One of the things that Mr. Clement—and I must say that Jim Young, the province's former Commissioner of Emergency Management, managed these emergencies we have experience with so very well. One of the messages that came through very clearly is that there will be another emergency, but we don't know what it will be. I'll refer back to what Mr. Clement said to the committee. He said that the response structure must be flexible enough to meet any new situation. He said, "Any emergency legislation must be broad enough to include powers of evacuation, cordoning off, price stabilization, resource control and so on." So what emerged from all of this was a consensus that there will be another emergency but we really don't have the legislative structure to manage that at the current time; what we do need to do is make sure we put that structure in place.

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We looked at things the committee told us or that other people who spoke to the committee told us. They made a number of suggestions. When the committee thought them over, we thought, "You know, those aren't really suggestions that belong in emergency management." The committee actually wrote an attendant report that said, "Here are things that came up which are really good ideas but they're really not about provincial emergencies."

For example, there seems to have been a lot of talk about animal health. The committee said, "We should really have a chief veterinarian in Ontario to manage animal health emergencies." In fact, the government has

done that; it has appointed a chief veterinarian, as the committee suggested.

The livestock and poultry industry came to us and said, "We really need to upgrade our animal health lab facilities in this province to make sure that we have the capacity to do both the research and the testing when something presents to manage a major animal or poultry health crisis." I was absolutely delighted that in this year's budget there was \$25 million to do exactly that: to upgrade the animal health lab facilities at the Ontario Veterinary College at the University of Guelph.

Another suggestion—I have heard members of all three parties talking about this—was that we should really have an animal health act in Ontario. That's something that I understand the chief veterinarian is looking at.

There were a number of suggestions that came that were good ones but weren't really the suggestions we needed for this extraordinary provincial emergency.

As I've mentioned, all nine other provinces already have existing legislation similar to this, so the committee looked very carefully at the existing legislation in the other nine provinces. As we listened to people talk and as we looked at the legislation in other provinces, one of the things the committee decided was that if you are going to give someone extraordinary powers, you need to have a balance. You also need political accountability. That was something the committee spent a great deal of time thinking about: How do we set up a structure in which you have powers that can be used in an unusual emergency circumstance but you have an appropriate balance? This legislation does that. It provides a balance between emergency powers and political accountability for the use of those powers.

Let's look at how you get to have an emergency. As I said previously, we're sure that sooner or later there will be another provincial emergency, but we don't know whether it's going to be a health crisis, a natural disaster, a failure of infrastructure or a terrorist attack. We don't know what it is going to be, so we can't give a precise definition. What the committee did say was that if you're going to declare a provincial emergency, it has to be something so serious that the management of that emergency goes well beyond the normally existing legislative authorities; that is, you need to move outside the normal legislative authority.

That's a scary thing to do. I agree with people that that's a very heavy onus, when you move outside the normal legislation of the land. The way the authority works here is that while the Premier can declare an emergency, he must have, within 48 hours, confirmation by cabinet that this emergency should stand. If in fact the emergency declaration were to go beyond 14 days, it has to come to this place, to this Legislature, to be debated. Somebody made reference a little while ago to, "Things of this import should really be debated in this place," and that's exactly what's in this legislation. If this unusual power is going to be used for an extended period of time, in fact this Legislature must confirm that that is going to happen.



A similar thing happens with orders being given. If that's going to be going on for an extended period of time, it needs legislative confirmation. It's also possible within the legislation for the cabinet to delegate its power to the Commissioner of Emergency Management or to a cabinet minister so that decisions can be made in a timely manner. But again, if that happens, those orders have to come back to the entire cabinet to get authorization within a matter of 24 or 48 hours. So again, while you may delegate to the Commissioner of Emergency Management, a civil servant, the authority to micromanage the emergency, to give orders and respond in a timely manner, if you're going to do that, those orders have to come back to cabinet to be confirmed. So there are checks and balances in this bill.

So what are the powers that we're looking at people being able to use? What are the things that could happen in an emergency? Let me give you some examples. The bill, in a provincial emergency situation, gives the power to restrict travel or order evacuations. In fact, that doesn't exist in Ontario law right now—wholesale evacuation. So if you were to think of some major, major problem, it might be necessary to evacuate. We saw with Hurricane Katrina what happened when there was a necessity to evacuate an area with nobody in control. We saw huge confusion in that case because nobody seemed to be running the show. This bill provides the authority to evacuate in an orderly manner.

One of the issues around SARS, when we saw SARS—and this is more and more an issue because epidemics become pandemics, become international—was that there was a great concern about people travelling internationally, or even maybe travelling within the province. This gives extraordinary powers to control travel so that in the case of a health emergency, we're not spreading disease around the province willy-nilly.

This includes the ability to fix prices for necessary goods, services and resources and prohibit price gouging, and also, quite frankly, to manage who has access to supplies. So think of a couple of examples here. When we had SARS, there was a panic around people wanting to have masks; once it became clear that this was airborne, people wanted to be managing masks. There was one particular kind of mask which was much more effective than other masks. Well, the people it was most important to get those masks to were the health workers in the hospitals who were dealing with the actual people who were sick. So it was very important to make sure that the supply of masks was going to health care workers and to hospitals, not being hoarded by the general public. This would provide the authority to make sure that those necessary supplies are not being hoarded. You can think of a situation where people might be hoarding food and we might need the ability to manage the distribution of food. Certainly during the blackout—you mentioned, Speaker, that I come from Guelph. Guelph, given the way the power distribution system in the province works, was one of the very last places in the province to come up again. We were without power for

several days. The only power line that was actually working for about three days was the power line that the sewage treatment plant is on. There happen to be two gas stations on the sewage treatment plant line. We had two gas stations serving a town of over 100,000 people, and that included some of Mr. Arnott's riding as well, so there were probably about 125,000 people all lining up at two gas stations.

**1620**

I must congratulate the owners of those two gas stations. They did not raise the price of gas. They were very responsible. They worked very hard to keep the tankers rolling in and the gas rolling out, and they were really good citizens; they did not price-gouge. I'm not suggesting they did that, but we saw other areas of the province in which price-gouging was going on and people raised the price of gas unreasonably. But even in that case where people were being responsible and not price-gouging, you certainly had some people who had greater need of gas than other people. People whose job it was to manage the emergency and to put the pieces back together needed to be able to get to the front of the line, because it took two or three hours to get gas those three days. You didn't want the emergency workers, the people who were putting things back together, lining up for two or three hours. Somebody needed the authority to manage who was getting what supply. So those are the sorts of things that are in this bill.

Some people have suggested that somehow the bill may give the government the authority to bring in conscription. That is absolutely not true. That was something on which the committee had, again, an extended debate, because in some provinces, in fact, the emergency legislation does include a power of conscription. So the committee thought about this very carefully and said, "Should we or should we not have a power of conscription in Ontario?" We decided that that was too onerous a law, even within the realm of emergency management, to have a power of conscription in Ontario.

What this law does do, however, is authorize people who are reasonably qualified to do something to do it—although they may not be formally licensed—under emergency circumstances. So if you were to think about a pandemic situation and a lot of people sick, we might well need to have doctors come in from the east, from Quebec; or from the west, from Manitoba; or maybe even from the south, from the US, in order to help us manage that health crisis. Because doctors are licensed on a province-by-province basis, those people wouldn't normally be licensed to practise medicine in Ontario. What this act allows us to do is to temporarily license people who are reasonably qualified to do things.

Something I didn't know before we got into this is that, the way the law works at the moment, ambulance workers, who are highly qualified in terms of their paramedic skills, normally are only qualified to use their paramedic skills when working for an ambulance company. They're not individually licensed. So an ambulance worker who is qualified to work in Guelph theoretically



can't go to Kingston and help with a crisis and really be legally authorized to be a paramedic, because they would then no longer be working for their normal employer.

Those are the sorts of situations where we're legally giving people authority to do things which, as I say, they wouldn't normally be able to do. It gives us the authority to both close down public places—for example, you don't want a school operating in the middle of a crisis—and also to set up emergency shelters. So there are a number of things here which I think most people would agree are things that we need to do in an emergency, and this bill provides those powers.

**The Deputy Speaker:** Questions and comments?

**Mr. Cameron Jackson (Burlington):** I want to commend the member from Guelph–Wellington for her well-thought-out comments about this legislation. There's absolutely no question that the province needs to strengthen its ability to respond to the kinds of potential disasters and emergencies that could befall us. Having worked on the Ontario floodplain commission, I'm very familiar with the history of Hurricane Hazel. Who would have imagined, prior to the ice storm, that we would have three substantive challenges facing the people of Ontario so close together? In many respects, the province did not seem as prepared as it could and should be.

There are elements to this bill that cause concern. My first year at McMaster University was the fateful year in which the War Measures Act was implemented, and I recall it vividly. I recall, as one of the many angry young students, what it meant for our civil rights. Clearly, this legislation contains within it the suspension of a substantive number of civil rights—more invasive, I would argue, than ever before in Ontario's history. Although we can rationalize that as legislators, the measure of the success of this legislation will be the manner in which the hand of government implements it. These are extraordinary powers to suspend people or to seize people's property, to override everything from working conditions to safety issues. I remind everyone that there are laws to protect nurses who willingly put themselves at risk in these situations. Firefighters and police officers accept that as part of their profession and the need to step forward. Although we will be proceeding forward with this legislation, I think it's important that we note, for the record, that we hope that it is handled judiciously.

**Ms. Martel:** There are two things I want to say in response. I want to go back and spend some time quoting this to all of the members who have made comments. I really do want us to take heed of what Justice Campbell said. Justice Campbell spent a lot of time, effort and energy to do some incredible work on SARS. When he was presented with Bill 56, which essentially came after Bill 138—and we heard the minister, when he spoke, say that much of what is in Bill 56 was lifted from Bill 138—he said that the bill was “awesome.” I don't think he said that in a positive note. In fact, I know it wasn't in a positive note. For someone of his stature and calibre, someone who did incredible work on behalf of the province with respect to what went wrong with SARS and

what we need to do—when someone like that makes a comment with respect to the government's proposals for emergency measures, we'd better be thinking very seriously about why he has those concerns. That is why I'm glad the minister has said in this House that the bill will go again to committee. I certainly hope that Justice Campbell will be able to make a presentation before the committee to outline his concerns with respect to Bill 56.

The second point I want to make has to do with SARS. I'm glad that the committee had the former Minister of Health, Mr. Clement, before it. We operated through SARS without these kinds of emergency measures, and I would argue that, in dealing with a similar SARS situation again, what is going to be most critical is the state of the public health system in the province of Ontario, so I wait for the government to make some significant announcements with respect to that. For example, there has already been a major recommendation for a new public health laboratory, a state-of-the-art laboratory with all of the technology and all of the instrumentation that is required to identify new viruses and to identify vaccines. We know that there is a report that's coming with respect to recruitment and retention in public health units, because they are at the front line of what happens in so many of our communities. That's not forward yet. There's a report before the government now with a major recommendation for major investment, and that, more than anything else, is what we are going to need to deal with the next SARS.

**Mr. Khalil Ramal (London–Fanshawe):** Before we start, I want to thank my colleague the member from Guelph–Wellington for her thorough explanation of Bill 56. She mentioned all the details of the bill and why we need it in this province. As she mentioned too, nine other provinces already have the same bill. They tried it, and it's working perfectly for them.

It's important that these days, with all the issues facing us, like disaster, natural disaster, many different issues, terrorism acts, whatever happens in this province of Ontario—hopefully nothing will happen, but we have to have some kind of mechanism ready, in place, in order to give the government—who are, in the end, ultimately responsible for whatever happens in this province, and also to protect the people of this province.

**1630**

That is why this bill is so important to the government, to create those mechanisms, to put everything in place, to have the right to evacuate certain areas, to open certain places as shelters, to open some kind of warehouses for food and to call on people who have some kind of expertise to help. This, I think, is very important. At the time of a disaster or problem, you don't have time to recall Parliament to put all these pieces together; you have to have them ready before.

It's exactly as the member from Guelph–Wellington mentioned about Katrina. When that natural disaster hit, what happened in New Orleans? They had nothing in place. They had no ability to evacuate people. We heard a lot about it. It was just a disaster for the people of New Orleans.



We don't want to have the same situation and then come back and say, "We wish we did this; we wish we did that." We should have something in place. I believe it's very important to give the government the ability to act before anything happens. It's a very important bill, and that's why I'm supporting it.

**Mr. Norman W. Sterling (Lanark-Carleton):** I want to say that I enjoyed the comments of the member for Guelph on this particular bill. As she mentioned, the bill is a balance between what a government sees as an emergency situation and must act, and what our laws of the day provide for action without that emergency being there.

It's going to be very difficult for us to vote on this particular bill on second reading, because we haven't really heard from those people who are confronted by these very arbitrary powers that are given to very few people. I must say, given the record of leadership of this government, that it's very difficult for us to entrust these powers to people who can't keep their word.

We know this government has a very low standing in esteem with the people of Ontario. Therefore, it makes it very difficult for us to act in a responsible manner, while we sit in opposition, to say we will pass legislation to give this Premier and this cabinet decisions over our lives which are arbitrary—the right of entry, the right to tell you to do things, the right to deny you access to the courts—which they have done in legislation before in this particular Legislature. Notwithstanding that there may be a need for this kind of legislation within the province of Ontario, it is at a very poor time when the esteem of this government is so low and the trust in the government is so low with the people of Ontario.

**The Deputy Speaker:** The member for Guelph-Wellington has two minutes to respond.

**Mrs. Sandals:** I'd like to thank the members from Burlington, Nickel Belt, London-Fanshawe and Lanark-Carleton for their remarks. There was some reference to the whole issue around workers' health and safety. Again, one of the things we discussed at great length in committee was, which acts should emergency legislation have the power to override?

The recommendation of the committee, which has been carried through in Bill 56, is that the workers' health and safety legislation, which protects the health and safety of workers, should not—I repeat, not—be overridden by emergency management legislation. That prohibition on overriding the workers' health and safety legislation remains in Bill 56. I would like to assure anybody who is out there working, particularly in the health care field, that this bill does not override their rights as workers to expect that they will be, as far as possible, protected by their employer.

I would also like to note that, understanding there were some difficulties with the Public Health Act, our government has already strengthened the Public Health Act. That's one of that list of things where people said, "Here's something you need to do," and we did that in the routine legislation because it's something that applies at all times, not just during a provincial emergency.

In conclusion, I would like to emphasize that this is legislation similar to what already exists in the nine other provinces. It does improve the province's capacity to manage a major provincial emergency.

**The Deputy Speaker:** Further debate.

**Mr. Garfield Dunlop (Simcoe North):** Mr. Speaker, I just want to let you know that as critic for community safety and correctional services, I'll be doing the leadoff now. I do thank the members for agreeing to give me consent to defer it until today because of some previous commitments when the bill was called earlier.

This bill is the Emergency Management Statute Law Amendment Act, 2006, Bill 56; the long title is An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997. I'm very pleased to be able to rise today to make a few comments on the bill.

I do want to take a couple of moments and congratulate all the new members of the Legislative Assembly we have here today—the member from Nepean-Carleton, the member from Whitby-Ajax and the member from Toronto-Danforth—on their successful elections to this Legislature. I know that all the people I've talked to today are excited about the opportunities that exist here in the future. It's all part of the democratic system that allows them to be here. I congratulate their teams and all their opponents in the election, which was held on March 30.

I want to talk a little bit about emergency management and emergency planning in Ontario and go back a little bit in history and just review some of the issues, some of the incidents and some of the more serious emergencies—in my lifetime, anyhow—and reflect upon how far we've come and where we're heading with this. I do understand, listening to the members in the House here today, that there are people who have a number of concerns about the sweeping powers of this bill. But it's amazing to see how little we had in the past, in a lot of cases.

Someone talked earlier—I believe it was the member from Burlington—about Hurricane Hazel. I was just an infant at the time. I can remember, as long as my parents lived, and my grandparents, and many of the older folk around our area even today, talk about that particular disaster in the early 1950s and how really and truly unprepared the communities were for a situation like that. They hadn't seen flooding like that before. Rivers flooded all over. Even in Toronto there were a number of issues and problems. I can't recall how many people lost their lives due to Hurricane Hazel, but certainly in modern history that was one of the landmark disasters we had in our province.

The reality is that it started a lot of people in their thoughts towards more emergency planning by municipal, provincial and federal governments. As a result, there's no question that we have come a long, long way. Just after I was in my early 20s, I think, we had the Mississauga train derailment. That was the disaster in the GTA that brought probably more people together in the Ministry of Municipal Affairs and Housing, and in all the



other ministries at that point, to realize, "Do you know what? We have problems here, with all these heavily populated areas, with transportation corridors"—in this case it was the train system, and we needed to do more to identify people and to plan for any type of disaster that might occur.

1640

I recall that that was what I would consider the first real disaster in my adult life, which probably had the most impact on municipal councils and on provincial legislation as well, as they tried to plan their way through. I can recall shortly after that that all the municipalities in Ontario started to put together emergency plans. In a lot of cases, of course, they were coordinated by all the different ministries; for example, by the Office of the Fire Marshal, the Ministry of the Environment, the Ministry of Agriculture—all these organizations that stood in and helped plan emergency plans for municipalities as a direct result of the Mississauga train derailment. That happened to be one that I felt was the beginning of emergency plans in Ontario.

When we talk about train derailments, I can tell you that shortly before I got elected to municipal council for the first time in 1980, we had a train derailment in Simcoe county. At the time, it was a disaster very similar to Mississauga, only it was in a more remote area and there was not nearly the population around. We had a lot of publicity on it. The train companies and all the planning people were in place at that time and were trying to coordinate the county plan as well as the local plan—at that time, it was the township of Medonte plan.

They did an extremely good job of the cleanup of the derailment, but again, in hindsight, it was a situation where people were not informed. There were probably opportunities for a lot of propaganda or misinformation out there at that time. It was a fire type of disaster, but it was well controlled by the fire departments.

As I walk through this speech today, I want to make sure that I mention a number of these modern-day emergencies that happen in our municipalities that, when you put them all together, allow the province of Ontario and the municipalities to improve their emergency services plans.

The next disaster that I felt had a major impact on the province of Ontario happened in 1998 with the ice storm in eastern Ontario. There is absolutely no question that that happens to be one that caught a lot of people completely off guard. First of all, who would have thought we would have—you know, we often had ice storms and freezing rain, and we'd have schools closed for a day, roads closed etc. But in that particular storm, they tell me that in some cases there was actually three and four inches of ice buildup on some of the limbs on trees in the forests. It was treacherous for hydro lines. It was treacherous for our roads. People told me over and over about being down in eastern Ontario and actually being in forested areas, standing near a maple sugar bush where they would make maple syrup and just hear this enormous cracking of limbs, one after the other. It was just

mind-boggling, the type of noise it was making as these huge limbs broke off of trees as a result of the weight of the ice on them. Of course, there were people who lost their lives.

The ice storm of eastern Ontario was the first time I really heard about planning—actually of financial assistance. I was a member of county council at the time, and a lot of municipalities in eastern Ontario had a lot of huge expenses as a result of the plan. The government of the day, under Premier Harris, put a plan together that if another municipality wanted to donate to help the cause in eastern Ontario, the province of Ontario would four-to-one that. So for every dollar a municipality sent in, the province of Ontario would put in, I believe, an additional \$4 for that magnitude of disaster. That was very well received.

At that time, I was the warden of the county of Simcoe, and we were doing all of the local services' realignment work. I can tell you that that came up at a very difficult time. We were looking at what was being downloaded and what was being uploaded in all this "Who does what" stuff. At that point, we were honoured to be taking part in a program that would help our eastern Ontario neighbours. I think the county of Simcoe at the time put around \$20,000 into that pot and, as a result, with the province of Ontario's \$80,000, allowed the eastern Ontario municipalities to receive \$100,000.

That was the first one of those that I had actually come across. The magnitude of the eastern Ontario storm allowed the other municipalities to help in other ways as well by sending in hydro crews to help Hydro One—Hydro One had a tremendous problem there, trying to get hydro back on—sending in supplies, baked goods, etc. that could help our eastern Ontario neighbours. As I worked my way towards Queen's Park, that was the one incident where I recall being very pleased to be an Ontarian, to see how we did try to help our eastern Ontario neighbours at both the provincial and municipal levels. I thought we did a good job of that. Hopefully, we learned from that action as well that if there's a storm in the future, we will have learned from the eastern Ontario ice storm.

That takes me to the planning—I think we've all forgotten about it now—for Y2K. It was six years ago; it seems like it was yesterday but it doesn't seem to be much of an issue today. But if you recall, almost all the municipalities had put together plans. They were very, very concerned about this impact. We were getting these rumours from around the world that there may or may not be issues around clocks etc. as we went from 1999 to the year 2000. I can remember one of the biggest proponents in that area was my father, who was convinced that something was going to happen for sure. He had the house rewired with generators just in case the hydro went out, and he was all prepared to help other people out because his house was wired. I think it was a diesel generator he had installed, with a lot of wiring to help it along.

Today it seems like it was not a big issue, but at the time that we thought of changing over to Y2K, it was



certainly a big issue around the world. Everyone got up really early. I can recall people getting up in the middle of the night to see what was happening as Y2K came in. As it came in across the world, nothing was happening. We all felt like fools because we thought we were planning for something that was going to be maybe a disaster right around the world, and the reality was that almost nothing happened and time went on. Everybody had done a superb job of preparing for it. The computers came in without a glitch, and away we went. Today it seems like it was nothing, but at the time, if you recall, if you read newspaper articles leading up to that and media interviews, certainly a lot of people were very concerned about where we would be going as we switched over to that.

Then, of course, who can forget September 11, 2001? That is one of those days in the history of our country, in the history of the United States, in the history of the world, that I don't think anybody alive today who recalls that particular day will ever forget, or what they were doing and where they were.

I had the opportunity of being the parliamentary assistant to Janet Ecker, who was the Minister of Education at the time. I can recall one of the people coming into my office and saying, "Turn on the TV. There's something major happening at the World Trade Center." They turned on the TV, and here was this one tower burning away. Within about 30 seconds of the tower being shown on TV, a plane flew into the second tower. When I saw the one tower, my initial reaction was—you know, here we have a tower on fire—"Some plane has hit it by accident." The reality was that the United States was under attack that day. That was a day that I think even here in Ontario we were all a little bit leery of what was actually happening. Here we were at Queen's Park, and Ontario is the economic engine that basically drives the Canadian economy, and we all kind of forgot that we might even be under attack that day.

1650

I was in the Mowat Block on the 22nd floor, in the Ministry of Education. I just sat in my seat and continued to work throughout day, not thinking that maybe there were other attacks taking place, other disasters. That would be the highest building in Queen's Park, along with all the other huge buildings we have downtown. That didn't happen; it was directed at the United States. But I can tell you that was a time in our lives when we stood up and realized that as a nation, as a province and as a good friend of the United States, we had a lot to lose by terrorist attacks and terrorist emergencies that could affect our beautiful province.

After that, the economy of the province took some fairly severe damage that fall. You'll recall that that was the fall when all of a sudden people from the United States didn't travel anymore. Almost no one came to Ontario from the United States. They stayed at home.

The Premier of the day, Mr. Harris, appointed Major-General Lewis MacKenzie and retired RCMP Commissioner Norman Inkster to advisory positions to help him

with border issues, security issues, and really needed that backup. I don't think anyone had ever faced that before. At that time, if we look back to Ottawa, they were considering changes as well.

As a country and as a society, we had never seen anything like this in North America before. It became probably one of the highlights of our lives to live through that. As I said earlier, as on the day John F. Kennedy was assassinated, as long as you live you will always remember where you were on the day the planes struck the World Trade Center and the Pentagon, and the other damage that was done that day by terrorist activities.

Then we go to 2003. We were preparing for an election. All the parties here were in election mode early in the year. In hindsight, I have to give our new leader at the time and the new Premier, Ernie Eves, a lot of credit for the way he handed himself throughout that whole year. That was a very, very difficult time in the history of our province. We had one thing after another, it seemed, all year.

One of the first things, which doesn't seem major today but was certainly a major event at the time, was the west Nile virus. There was the fear of bird flu and what could happen with mosquitoes etc. that infected certain birds. The government, the Ministry of Health, were all trying to work towards a resolution to that.

Right after that, along came BSE, the mad cow disease, and the closing of the border. That also had a major impact. We sat in this House asking question after question, and in a lot of cases we didn't know any of the answers because we hadn't had that type of background or training before, here in Ontario. It was a sort of new disaster. When we look back now, in hindsight, as I mentioned earlier with Y2K, it probably doesn't seem to be that much of an activity today, but obviously at the time in the farming community it had a huge impact. Prices were driven lower, and it hung around a long, long time. And there are still today negative effects as a result of that closing of the border to Canadian beef.

Then we had SARS. SARS was probably the one area where you began to read. I have satellite at home and I started reading, and listening on the satellite through CNN, about this disease that was breaking out in the Orient. You just sort of saw clips of it, and you didn't think a lot about it. All of a sudden we had a case where we thought there could be a SARS outbreak or a SARS epidemic right here in Ontario. If we look at Bill 56 today, there is no question in my mind that the SARS outbreak is one of the key areas or key reasons why we have Bill 56 in front of us today, and a little while later we'll have Bill 138, because we started losing lives.

I have to tell you that, although I know this new bill gives us sweeping powers, right to this day I have to give so much credit to a number of people. I think of Dr. Colin D'Cunha, the medical officer of health of the day for Ontario, and Dr. Jim Young, a resident of Simcoe county who played a key role, along with our Minister of Health at the time, Tony Clement. I think one of the proudest days I ever had in this House was the day that Tony Clement and Dr. Colin D'Cunha came into the



Legislature following a trip that Tony had made along with Dr. D'Cunha over to, I believe, Geneva, Switzerland, to talk to the World Health Organization about freeing up some of the restrictions put on Ontario at that time.

That was a time, in the SARS outbreak, that brought a lot of people together. I know we lost lives, and that will always be a sad point. I want to make sure that I put on the record how sad the case was. But I have to tell you it really proved to me the level of the health care professionals we have in this province and the job they did no matter where they were, no matter which hospitals they were in, whether they were in the downtown hospitals, whether they were being drastically affected or whether they were in some of the more rural hospitals, where they had plans in place as well. Overall, I think they did an extremely good job. We have to learn from that outbreak, and of course it's one of the reasons right to this day that we have Bill 56 in front of us and we're able to debate that.

Who will ever forget what we call the other disaster, or mechanical disaster, the blackout of 2003—another whole world. The whole eastern seaboard of North America and a large part of Canada were without electricity for a number of days as the blackout occurred. I think people will recall the leadership shown at that time by Ernie Eves. That was actually his fourth disaster that year, as we headed towards a fall election. I still to this day compliment the Premier of the day, how he got on the TV, how he made sure that we tried to communicate with the general public to use less power and to bring that system back on. Then, of course, since that time we knew that the problem had been caused in the United States. Improvements have been made and will continue to be made so that if there's ever any type of blackout like that again, it may not affect as many people, because of the types of transmission safety nets that have been put in place as a result of that.

1700

I can tell you, thinking back to that blackout—I want to put this on the record—I was actually at a golf course up near Orangeville at the time, and I was supposed to go over at 6 o'clock that night to the Premier's nomination meeting for his election. We heard on the radio that there was no power at the clubhouse at the golf course. I was with the Rotary Club of Midland; they were golfing there for the day. They came out and said that the whole eastern seaboard was out. I think at that point everybody was trying to blame Ernie Eves somehow for the blackout through the whole eastern seaboard. I think the Liberals of the day and the New Democrats would have loved to have the blame put on the Premier with an election coming up so quickly. However, it was found to be, I believe, in Ohio, and we did work our way through that.

The people of Ontario deserve a lot of respect for the way they handled themselves. Sometimes there are good ideas that come out of things like the blackout, and one of them might be, to this day, conservation. We realized,

even in our own homes, how much power we actually use at times. As we tried to bring the power back on with the nuclear reactors and with the coal-fired generation, we realized very quickly that we do use a lot of power in our homes. During that blackout period and when they were bringing the power back on, they said, "Please don't use as much power," and quite frankly, I think most people realized from that point on that they didn't need that kind of power. Right to this day, I can tell you that my wife and I and our family use a lot less power as a result of the blackout that occurred in the summer of 2003. I think that would be safe to say for a lot of people. You just simply leave a lot of lights on; you leave appliances on that probably are burning too much power. It's an opportunity for all of us to conserve the valuable electricity that we have.

I'll come back to the blackout in a second, because I wanted to put on the record some of the moves the government is making in the form of energy that I think could cause another disaster if we're not careful. I wanted to touch on the last two predominantly major types of disasters that occurred, one being the Peterborough flood in the spring of 2004. There was no question that was a major Victoria Day weekend rainfall. I know that Peterborough was fortunate enough to receive assistance because they were flooded out so badly, but I can tell you it was—someone said here earlier today that it was only restricted to Peterborough. The reality is that many communities in the province of Ontario were affected that weekend by that storm: the city of Orillia, for example, in my riding; the village of Coldwater, part of Severn township. These are all places that had major floods. Peterborough was fortunate enough to get the funding. I believe they got somewhere around \$15 million to \$20 million of assistance. Other communities weren't that fortunate. They didn't get any help at all, and they've had to work their way through that. But I hope, if we have floods in the future, that the province will come to bat for all the other municipalities the same way they did for the city of Peterborough on that weekend in the spring of 2004. It hadn't been their first flood; we know that. Most of these communities that are along rivers are on flood plains. There is always the chance that there will be a flood at some point in their future.

Then we had the more recent one just last year, the tornado that went through the Waterloo–Wellington area. I thought the tornado we had in Barrie in 1985 was probably the only tornado we would ever see in the province of Ontario, because they said at the time it was a disaster that was kind of a freak of nature. We don't have tornados in Ontario, that's what we were told, and in 1985 we had one. A number of people lost their lives, and millions and millions of dollars in damage was done. I can tell you that when I heard about the tornado, the devastation that was done in Waterloo–Wellington in 1985—I guess what I'm saying is that, 20 years later, in 2006, it's clear that we can have tornadoes. These are a natural disaster, and there's a role for the province to play. There's no question that we'll probably see others



in the future as well. I guess that ties in as part of global warming, or maybe it's just a change in climate, but we're starting to see larger and more intense disasters around the world. We look at things like Katrina and the tsunami last year, and then the tornado disaster last summer in Guelph-Wellington.

I want to put something on the record for my colleague and seatmate Ted Arnott. I know Ted Arnott is a phenomenal MPP for Waterloo-Wellington, and I want to read into the record some of the comments that were made. The headline was, "Government Must Increase Funding for Tornado Devastation, says MPP Arnott."

"On August 19, 2005, two tornadoes touched down in Waterloo-Wellington. The disaster was described in the Guelph Mercury: 'Both funnels whipped up winds of 180 to 240 kilometres per hour, cutting trees in half, downing power lines, tossing cars into ditches and damaging homes and barns.'

"I am very grateful for the quick and compassionate way people from the surrounding area responded and pitched in to help us get through this," said Waterloo-Wellington MPP Ted Arnott.

"At the request of our local councillors, I urged the Ministers of Community Safety and Municipal Affairs to come to Waterloo-Wellington as soon as possible. Both of them took the opportunity to survey the devastated parts of the townships of Centre Wellington and Mapleton," he added.

"Immediately after the House resumed sitting in October, Mr. Arnott began raising the issue at the Legislature. He called for disaster assistance from the province, requesting funding on behalf of the townships of Centre Wellington, Mapleton and on behalf of the Grand River Conservation Authority.

"He demanded support from the government in the Legislature by way of three member's statements, during question period, and then in a 'late show' debate he triggered after filing a motion of dissatisfaction with the reply he had received from the Minister of Municipal Affairs. At that point, the townships had been promised \$335,100 in disaster assistance from the provincial government.

"Centre Wellington Mayor Russ Spicer publicly described Mr. Arnott as being 'tenacious' in his pursuit of adequate provincial funding for the tornadoes.

"Township of Centre Wellington Mayor Russ Spicer, Township of Mapleton Mayor John Green and" Grand River Conservation Authority "Chairman Peter Krause all wrote to the Minister of Municipal Affairs to explain that the funding promised to date is insufficient. Mr. Arnott insisted that the minister meet with the local municipal officials, and announce a 'doubling' of the provincial grants.

"After weeks of delay, the mayors received written commitments of an additional \$162,500 in provincial funding over and above the \$335,100 initially offered in October.

"We worked together to convince the government that our needs were real and merited provincial financial

assistance,' Mr. Arnott said. 'The government should be confident that the funding will be put to good use.'"

I remember my colleague Ted Arnott mentioning this on a number of occasions in the Legislature. What I wanted to point out is that we've seen a major tornado in Barrie in 1985, and we saw one last year in Guelph-Wellington. As we work toward the implementation of Bill 56, how will we define which are a provincial responsibility and which are strictly municipal? But no matter what we do as we proceed toward the implementation of Bill 56 and government programs to assist municipalities, I hope there would be a consistent program to help all municipalities in a timely fashion as they try to work their way through some of these natural disasters in Ontario.

I wanted to put Mr. Arnott's comments on the record, because he has worked extremely hard to get that assistance. He only felt that, following the great deal of money that was put into the city of Peterborough, there was no question that the community of Guelph-Wellington and the communities around Ted Arnott's riding deserved some of that assistance as well. He would have liked to see more, but Ted worked hard to get the money they did get from the government, and, as he said before, it would be put to good use.

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I did want to say that these series of disasters that I've outlined all have a kind of common theme behind them: that there is definitely no question that there is a role for the Ontario government. Of course, they cover a wide variety of areas. They cover almost all the different ministries, if you look at the Ministry of Health with SARS, and the Ministry of Community Safety and the Ministry of the Environment and the Ministry of Municipal Affairs. We need to know that whatever plan we have in place will treat all citizens equally in the province of Ontario. There should be no partisan politics played with any of these as we put together our plan for the future.

That takes me to some areas that I wanted to discuss on Bill 56. I have a number of comments that are sort of our key messaging around the bill before I wrap up with some comments on hydro. There's no question that the bill would grant extraordinary powers to the Premier and give the cabinet authority to override almost all of Ontario's laws when an emergency is declared. We have some problems with that. When I go through these key messages, one of the things I'm most concerned about in the future is that we have some good, sound committee hearings here in the province, and they should not be restricted just to the city of Toronto. Now that we've seen areas like Peterborough and we've seen flooding in different parts of the province and we've seen tornadoes, there's no question that we have to get out to all the public and debate this bill with good, solid committee hearings no matter where we go, so we can come back with the proper amendments and correct the bill the way we'd like to see it corrected. That was one power we were concerned about.

The proposed powers include the authority to compel anyone to disclose any kind of information it wants and



force citizens to be vaccinated against a spreading illness. There certainly will be concerns around that, particularly from people who don't want to be vaccinated no matter what. The government would have the power to close down any public or private place that they deemed necessary, prohibit travel and force the removal of a person's personal property. They can also regulate the use and distribution of goods and services, including water and electricity, and fix prices on goods and services. The emergency measures act seems, in our opinion, to be too broad in its scope in its current position. While proper planning for emergencies is imperative, the bill seems more about giving the government broad additional powers than proper emergency planning procedures.

The PC caucus offered to work in a collaborative way to come up with an improved bill that addressed these urgent matters in a timely manner, but that was rejected out of hand earlier.

On the background of this bill, the bill is almost identical to the committee Bill 138 that we introduced on November 1, 2004, but that was never brought forward by the government for debate. I sat as the PC caucus representative on Bill 138, and I could never understand why it was brought forward in the way it was. We formed a committee. I can't remember Mr. Colle's riding, but Mike Colle was the Chair of the committee at the time, and a number of Liberals were on the committee. It was almost as though, the way it was set up, this committee was to travel around a lot—or they thought it would be travelling a lot. It was almost like a reward for some of the members to be part of that. One of the things that I recall was that we had this plan in front of us, but we had not asked a lot of the proper people. I remember going to the committee and asking, "How come I don't see any police associations on the committee hearings? How come I don't see the Ontario Professional Fire Fighters Association on here?" The reality is that they weren't invited. It was more of a medical bill at that time. It was the medical officers of health and tended to be sent in that direction. So it was a very difficult bill to actually support at that point, and as result I lost interest in the way the bill was done. I thought it should have been dealt with the way we're dealing with Bill 56 today—having our debate in the Legislature and going back to committee. I think, if we look in hindsight, Bill 138 was probably a mistake, how it was done. As a result of that, the minister has reintroduced it.

However, the minister did make comments in the House. The minister alleged that it was necessary to replace the committee bill with this government bill because of a lack of opposition co-operation, despite the fact that our offer to collaborate on this legislation was rejected. I could never understand why the minister made that comment in the House that day. But the reality is that Bill 138 is a thing of the past. We can talk about it for days if we want, but it's not going to do us any good. The reality is that we have Bill 56 in front of us, and we have to work with that to the best of our ability at this time.

The Ontario Nurses' Association had indicated that provisions in their collective agreements provide them

with the right to safe working environments, and they expect the government to ensure that the collective agreements are upheld. The legislation does not appear to require the provisions of collective agreements to be followed in times of emergencies. We know that in the SARS outbreak, one of the top stakeholders, one of the top health care professional groups, was the Ontario Nurses' Association. I think we've all learned from a lot of the good advice they have given us, whether it's at the riding level or through some of the ONA bulletins or some of the meetings we've had with them. They've provided a lot of leadership, and of course some of them lost their lives during the SARS outbreak. We certainly need to know, whatever the ONA says, or the Ontario Medical Association, that these people are key stakeholders, and need to listen to them very, very carefully as we develop the bill and go to committee. I would be extremely disappointed if different nursing associations and fire associations and police associations were not given the opportunity to make good possible amendments to the bill. We should listen to the amendments, very carefully examine what they say, and implement them in a proper way.

The other person whose comments have come out is Justice Archie Campbell. The investigating judge on the province's response to SARS stated that the power is "awesome"—and I think the member from Nickel Belt mentioned this a little earlier—in reference to the nearly identical Bill 138. He noted that it would literally give the provincial cabinet the authority to override any other Ontario laws when an emergency is declared. I know that our former Solicitor General, the member from Leeds–Grenville, takes Justice Campbell's advice very, very seriously. Again, if we can come up with committee hearings throughout the province, I'm hoping that people like Mr. Campbell would be allowed to come before the committee and make comments and we can get the bill really right and really good by listening to their comments.

"The primary purpose of the bill is to provide emergency powers to the Lieutenant Governor in Council and to the Premier" to protect public health, safety and welfare during a public emergency. Of course, we want that to happen, and we want to make sure that no matter what happens in any kind of emergency, the safety and health of our citizens are paramount and they are allowed to get over the emergency as quickly as possible without too many roadblocks in their lives.

"The bill amends the Emergency Management Act and makes consequential amendments to the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997."

The bill "amends the definition of emergency to include dangers caused by disease or health risk," and "permits the establishment of a cabinet committee to advise the cabinet on matters relating to emergencies...."

"The bill provides that an emergency may be declared by an order of the Lieutenant Governor in Council or the Premier, if in the Premier's opinion the urgency of the situation requires an immediate order.... An order of the



Premier that declares an emergency is terminated after 72 hours unless it is confirmed by an order of the Lieutenant Governor in Council.... An order declaring an emergency may be made if the Lieutenant Governor in Council or the Premier are of the opinion that an emergency exists that requires immediate action to prevent, reduce or mitigate a danger of major proportions and that one of the following conditions exists: the resources normally available to the government cannot be relied upon without risk of serious delay, the resources normally available to the government may be insufficiently effective to address the emergency or it is not possible, without the risk of serious delay, to ascertain whether the resources normally available can be relied upon."

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I understand that the purpose of the power to make emergency orders is to protect the "health, safety and welfare of the people of Ontario in times of declared emergencies in a manner that is subject to the Canadian Charter of Rights and Freedoms.... During a declared emergency, the Lieutenant Governor in Council may make emergency orders that the Lieutenant Governor in Council believes are necessary and essential to prevent, reduce or mitigate serious harm or substantial damage if, in the opinion of the Lieutenant Governor in Council, the harm or damage will be alleviated by the order and making an order is a reasonable alternative to other measures that might be taken to address the emergency....

"Orders may be made in respect of many matters, including the regulation or prohibition of travel to or from a specified area, the evacuation of persons and the removal of personal property from a specified area, the establishment of facilities for the care, welfare, safety and shelter of individuals, the construction of works and the restoration of necessary facilities, the procurement of necessary goods, services and resources, the fixing of prices for necessary goods, services and resources and the prohibition against charging unconscionable prices for such goods, services and resources, the authorization of any person to render services of a type the person is qualified to render and the requirement to collect, use or disclose necessary information....

"The power to make orders may be delegated to a minister of the crown or to the Commissioner of Emergency Management...." In this case, it would be former chief Fantino. "Where the commissioner exercises the delegated power to make an order, the order is revoked within two days unless it is confirmed by the Lieutenant Governor in Council, the Premier or the minister who delegated the power to make the order.... orders ... are effective for 14 days and, during a declared emergency, may be renewed for 14-day periods....

"If there is a conflict between an order and any statute, regulation, rule, bylaw or order, the order prevails. Except to the extent that there is a conflict with an order, nothing in the act shall be construed as abrogating or derogating from the powers of the Chief Medical Officer of Health. The rights of a person to bring an application for judicial review are preserved. Despite the general

provision, in the event of a conflict between the act or an order made under it and the Occupational Health and Safety Act or a regulation made under it, the Occupational Health and Safety Act or the regulation made under it prevails....

"Upon application without notice, a judge of the Superior Court of Justice may make an order in respect of the contravention by any person of an order under the act and the order of the judge may be enforced in the same manner as any other order or judgment of the Superior Court....

"During an emergency, the Premier, or a minister to whom the responsibility is delegated, must report to the public on the emergency...." Of course, we've done that consistently over the years, that we report to the public. Tony Clement, I believe, during the SARS epidemic held over 30 press conferences on that particular disaster at the time.

"Declared emergencies are terminated 14 days or earlier after the day they are declared but may be extended by the Lieutenant Governor in Council for one period of 14 days. The assembly may extend emergencies for periods of up to 28 days....

"The assembly may by resolution disallow the declaration of a state of emergency...." That's a resolution of this assembly. "The Premier is required to report to the assembly within 120 days after the termination of the emergency. The report must include information with respect to making orders and an explanation on how the order met the criteria for making an order and how the order satisfied the limitations on making an order....

"Failing to comply with an emergency order or interfering with a person acting under an emergency order are offences which carry a fine of up to \$10 million for corporations, \$500,000 for corporate directors and officers and \$100,000 for other persons." Now, we may want to revisit that in our amendments. "These fines may be further increased for convicted persons who profited financially from the offence. Individuals may be sentenced to imprisonment for up to one year....

"[No] action or other proceeding ... shall be instituted against a member of council, an employee of a municipality, a minister of the crown, a crown employee or any other individual acting pursuant to the act or an order made under the act for any act done in good faith in the exercise or performance or the intended exercise or performance of any power or duty under this act or an order under this act or for neglect or default in the good faith exercise or performance of such a power or duty. Neither the crown nor municipalities are, however, relieved of liability.... nothing done under the act or under an order under the act constitutes an expropriation or injurious affection for the purposes of the Expropriations Act or otherwise at law. Generally, compensation is not paid for loss of property except in accordance with the act. However, the Lieutenant Governor in Council may make an order authorizing the payment of costs for providing any assistance under the act or as the result of an emergency and, if a person does



suffer a loss to property as a result of an order, the Lieutenant Governor in Council may authorize the reasonable compensation of the person for the loss.”

That’s basically all of the preamble in Bill 56, what we’ll have to work our way through as we decide whether or not this is the bill we want passed in this Legislature.

Before I wrap up here, I wanted to just spend a few moments on the blackout in 2003 and where we’re going, as a province, as a result of that. I’ll tell you, we have some very interesting data that’s coming towards us on our hydro supply and where we’re going with hydro in the province of Ontario.

It seems so amazing that we had the blackout just prior to the election. One of the election promises was that the new government, the Liberal Party, would close all coal-fired generation by the year 2007, which is now nine months away—the beginning of 2007.

I recall Dalton McGuinty on Steve Paikin’s show one night. Mr. Paikin was interviewing Mr. McGuinty, and he said, “Mr. McGuinty, would you close the coal-fired generation early in 2007 or later in the year?” He looked like a deer in the headlights when he answered the question. He said, “I’d close the coal-fired generation late in 2007.” That means sometime in November or December, 2007. That’s 6,416 megawatts that we’ll have to close down. As of today in the province of Ontario, the only coal-fired generation that has been closed down is Lakeview, and that’s the one that we had planned on closing down four years ago; Elizabeth Witmer made the announcement and was at the ceremony that actually closed it. The Progressive Conservative Party’s plan for coal-fired generation was that we would close the facilities down by 2015. That is still, today, the most realistic figure we can come up with, because we have to find a way to find 6,416 megawatts in the province of Ontario.

I was really interested today: It’s amazing that the minister’s comments on wind power came up the same day we’re debating Bill 56, we’re talking about blackouts and all that sort of thing. One of the things that really was amazing is that the government is counting on the total capacity of the wind power generation as fact. This all ties in to our need for power, so we don’t have another blackout, another natural disaster. To date: Melancthon Grey wind project, which is 67.5; the Kingsbridge wind project, 39.6 megawatts; Erie Shore’s wind farm, 99 megawatts; the Prince wind farm, 99 megawatts; and the Blue Highlands wind farm, 49.5. That’s a total of 354.6 megawatts. The minister keeps saying that’s how many megawatts she has coming on-stream.

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The reality is that in this book put out by the Independent Electricity System Operator—which I think is a government body, part of the old Ontario Hydro—it says, under an asterisk at the bottom, “For capacity planning purposes, wind generation has a dependable capacity contribution of 10% of the listed figures.” So of the 354.6 megawatts that Minister Cansfield talked about today,

according to our own Independent Electricity System Operator, we really only have 35 megawatts, if you consider 10%.

The reason is that we can never shut down the other systems. We can’t shut down a nuclear reactor and use all 354 megawatts. We can’t shut down a power dam. We can’t shut down a natural-gas-fired system, because it takes too long to fire them up. Even if we bring all these wind turbines on stream, we still have to leave all the other ones in place. So not only do we have to replace 6,460 megawatts of coal-fired—we should even maintain that, or replace it with something other than wind, because the wind turbines certainly don’t have the ability to work all the time. If you have a hot summer day—30 or 35 degrees Celsius outside—and there’s no wind, there’s no wind power. There’s no turbine going to operate that will feed our air conditioning systems across the province of Ontario.

The same thing applies to the ones that she has planned. The Wolfe Island wind project, the Leader wind project A, the Leader wind project B, Prince II wind power, Kingsbridge II, Ripley wind power project, the Kruger energy port and the Melancthon II wind project total 955 megawatts. The reality is that, under the Independent Electricity System Operator, they will only have a total capacity, probably, of around 130.9 megawatts, if you take into account the fact that this booklet says they’re only at 10% of capacity.

My concern is that we’re creating this illusion out there that we’re doing all these wonderful things in power. I’m very, very concerned that if they do close those coal-fired generators down in 2007, like they promised they would to the citizens of the province of Ontario, we won’t have nearly enough power to operate in the province and we will be in a serious blackout right here in Ontario.

Up our way, we’ve got a couple of projects, one by a company named Ventus Energy. They’re one of the companies that want to put wind power into Simcoe county; apparently there are a couple of proposals there. I understand now that a guy by the name of David Peterson is one of the members of the board of directors. I hope that’s not the David Peterson that was the Premier here. In my opinion, his ties to the Liberal Party would make this very, very uncomfortable if we go towards awarding contracts to this company. I believe that the contracts will be awarded for a 20-year period at 8.5 cents or nine cents a kilowatt-hour. My understanding, talking to people who have a lot more knowledge about wind turbines than I do myself, is that they stand to make a fortune out of this over the next 20 years, because the first 10 years will pay off the cost of the turbines.

If there’s anything we can do around electricity, because it has such an impact on emergency planning in the province of Ontario, if there’s anything we can do whatsoever, it’s to make sure we tell the people in the province, our citizens, that wind power may be wonderful—everybody wants to have their energy come from green, if it possibly can—but let’s not put them under an illusion that there’s something seriously wrong here, and



we're spending millions and millions of dollars for only 10% of the capacity they actually perform at. That scares me, particularly if someone is foolish enough to actually close down that coal-fired generation in 2007, as Dalton McGuinty promised in his Liberal platform. That is a scary thought.

I understand that they're going to put one on hold—I think it's Atikokan, or maybe Nanticoke—but the reality is, if we close the other three, we're still in a serious problem. If we thought we had a blackout and emergency planning was required in the summer of 2003, God only knows what we'll need if we shut that coal-fired generation down without a proper, adequate supply of electricity for the future.

Mr. Speaker, my time is winding down. I'm quite sure you've heard enough of me, unless you want to give me more time. I can carry on with some of this hydro stuff.

One comment I want to make is that I'm listening to my good friend Dr. Jim Young, who says that we do need changes. Okay?

I look forward to going to committee. I look forward to listening to everyone from civil liberties to policemen to firemen, to all the people in the hydro system. I want to make sure we get this bill perfect. I hope that the government will listen and we'll have good committee hearings around the province, and I look forward to being part of those committee hearings. Thank you so much for this opportunity.

**The Deputy Speaker:** Questions and comments?

**Mr. Peter Kormos (Niagara Centre):** Shortly—in fact, in around 10 minutes' time—Shelley Martel, the member for Nickel Belt, will be addressing this bill from the perspective of her constituents up there in Sudbury and the Sudbury area.

At the end of the day, emergency management is all about preparedness and emergency management is all about what's out there on the ground capable of responding in an appropriate, timely and safe way. You can't talk about emergency management, like this government is trying to do, without addressing real needs in municipalities across Ontario for adequate staffing and resourcing of police forces, firefighting services, paramedics and, I say to you, nurses, nurses, nurses and the other related health professionals. You want to talk about emergency management? Then talk about making sure that every emergency room in this province is capable of handling the deluge of patients that will confront it in the event of a regrettable catastrophic event. You want to talk about emergency management? Make sure that our firefighting services are adequately staffed and resourced.

We know that hard-hit, downloaded-upon municipalities are increasingly harder and harder pressed to fund even those core services when it comes to firefighting, yes, and policing: 1,000 new police officers. In the year after year after year that that promise hasn't been kept, the demand, the need has risen to almost 2,000 police officers. Again, that's just for core service delivery, not for responding to catastrophic and exceptional events.

We insist that this bill go to committee. There is a strong public interest in this government's failure to meaningfully respond to the prospect of a crisis or a catastrophe, and we want the public to have its say too.

**Mr. Balkissoon:** I want to thank the member for Simcoe North and the member for Niagara Centre for their comments. I just want to say that it's nice to hear that the member for Simcoe North believes that the province has to play a role in disasters and he believes that we need this legislation. But I just want to provide a little bit of clarity to a couple of statements he made that is clearly stated in the bill.

There is no place in this bill that says the government will have the power to force vaccinations, as he stated. I just want to make sure that is clear and understood by everyone. It's also very nice that he read sections of the bill, and I'd like to repeat that subsection 7.0.6(2) clearly states that the chief medical officer's role will remain as is, per legislation under this act, and subsection 7.0.6(5) says that the Occupational Health and Safety Act will remain in force and does not affect any worker who is involved in emergency work during a declared disaster.

He read all these clauses, and it's clearly stated that the government is being accountable. The Premier has to report to cabinet. The Premier has to report to this House.

But I just want to make sure I clarify something too that he mentioned about health care workers, especially nurses. There's no place in this act that says that health care workers will be forced to work. There is no place where the act actually says that. In fact, what the act says is that the Employment Standards Act will be amended to allow workers to go on leave if there is an emergency declared and it affects their workplace. The only thing that will happen is the province's pandemic—

**The Deputy Speaker:** Thank you. Questions and comments?

1740

**Mr. Norm Miller (Parry Sound—Muskoka):** It's my pleasure to add some comments on the debate this afternoon on Bill 56, An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997.

We just had our leadoff speech from the hard-working member from Simcoe North, who spoke for an hour on this bill. Toward the end of his speech, one of the points he brought up was the emergency that is being created in this province by this government, by its irresponsible plan to shut down coal-fired generation in the province before it has an adequate supply of electricity to replace that coal-fired generation. I can tell you that there's an emergency being created in northern Ontario. Every week there's another paper mill, another forestry company announcing layoffs or slowdowns.

When they talk about some of the recent announcements to do with electricity and solar power at a cost of 42 cents a kilowatt hour or wind power at a cost of 12 cents a kilowatt hour, I can tell you that will not sustain the economy of the province.

Originally, their plan was to shut down coal-fired generation in 2007; that was the first announcement. That



has now been backed up to 2009, and I hear rumours of maybe 2011. Of course, that's well beyond the next election, so this will be another broken promise, thank goodness, that this government will not be able to keep.

In today's world, we are seeing many new types of emergencies arising. We had SARS, we had the black-outs and we've got threats of avian flu. The next emergency is probably going to be something we won't think of. So there is a need for legislation. We support this legislation, but we want to see that it's balanced. We want to see that it goes to committee and that there is full public input so that we get this bill right.

**Ms. Martel:** In response to the comments by the member from Simcoe North, let me reinforce that we are pleased that this bill is going to committee, because it does need to have a much broader set of eyes taking a look at it. The member from Simcoe North talked about some of those very folks who would be responsible to provide emergency services on the front line as some of the groups that are most necessary to have a second look at this and to come before the committee and make their comments.

I have had concerns relayed to me by the Ontario Nurses' Association with respect to the bill, for example, which I will be reading into the record a little bit later when I get a chance to speak, but I assume that we would hear similar concerns around the whole issue of human resources, human resources planning, adequate staffing and training of those front-line folks we're going to rely on most heavily in the event of an emergency. Of course, it includes nurses, police officers, firefighters, paramedics and other emergency services personnel.

Frankly, I would also be very interested to hear what Justice Campbell has to say, because he has had a chance to look at the bill. I will be making some contrasts between some of the concerns he raised about Bill 138—about what was missing—and whether these have been addressed in Bill 56. I don't believe they have, and I will be making that point. But he and others deserve an opportunity to come forward and really make clear what they think about what, from our perspective, are some pretty serious powers—new powers, exceptional powers—that appear in the bill, whether all of them are wholly necessary and whether some restrictions can be applied to curb some of the changes that have been proposed by the government. But that is only going to happen with public hearings, and I'm glad the minister has agreed to those.

**The Deputy Speaker:** Member for Simcoe North, you have two minutes to respond.

**Mr. Dunlop:** I'd like to thank the members from Niagara Centre, Scarborough—Rouge River, my colleague from Parry Sound—Muskoka and my colleague from Nickel Belt for their comments on the leadoff.

We can talk all day about types of emergencies. Every time we've had emergencies in our province, a select group of people helped our citizens. Whether it's a large-scale emergency or even on a smaller scale, they help and do a phenomenal job. In a lot of cases, they're volunteers,

like firemen or people who go in and help; municipal employees, in the case of an emergency. But I've got to tell you that in all the emergencies we've had—for example, SARS, where we counted on our health care professionals, flooding or where we count on the police over and over again, the paramedics or the fire departments—they do a phenomenal job. We don't realize how lucky we are in a society like we have here in Ontario to have all these resources available to our citizens, people who put in a lot of time and a lot of effort. As critic for community safety, I just want to say how important it is that we acknowledge during this debate the fine work that's done by all of our emergency volunteers and our emergency employees who keep our society safe and who in a lot of cases will provide the assistance and the knowledge to help create this legislation.

I hope that we can go to committee, have good, solid committee hearings and get this bill right. It will be a good foundation for the next few years as we work towards better emergency planning in the province of Ontario.

**The Deputy Speaker:** Further debate? The member for Nickel Belt.

*Applause.*

**Ms. Martel:** The cheque's in the mail, folks.

I'm cognizant of the time, so I'm going to get started in this debate. I'm not going to be able to finish, so I'm trusting that you're going to give me a bit of leeway to stop at an appropriate time rather than right in the middle of some of my remarks. I hope you can bear with me and allow me some leeway to do that.

I want to start with something the minister had to say, which was that a lot of what was in the previous Bill 138 found its way into Bill 56. I won't go through the process of Bill 138 and how that led to Bill 56. Mr. Kormos, my colleague who is critic for this area, had a great deal to say about that Bill 138 process and how flawed it really was, but I do think it's important to reiterate the shortcomings of the bill. I would have hoped that the minister had learned from the experience of Bill 138 and the concerns that were expressed about it and brought forward a new Bill 56 that would have addressed some of the shortcomings in Bill 138. I don't think that has taken place.

I want to start my remarks by going back to some comments that were made by Justice Archie Campbell, who was very highly critical of the Bill 138 that came out of committee. He said the following: "The essence of the commission's concern"—that is, the SARS commission that he was working on—"is that the unusual process of proceeding to a draft bill of such profound legal importance, without prior policy and operational analysis by departments of government and without prior legal and constitutional scrutiny by the Attorney General, deprived the bill of the solid underpinnings that ordinarily precede the development of any important piece of legislation.... A sober second thought is now required."

One would have hoped that, based on that analysis by Justice Archie Campbell, the government would provide a sober second thought and would bring forward a second



bill, Bill 56, that would respond to some of those concerns. I want to highlight the areas where in fact there is very little difference between Bill 138 and Bill 56 and where our concerns—and I suspect Justice Campbell's concerns—still remain. Let me deal with a number of them.

First of all, voluntary compliance: A lesson from SARS is that advance planning for emergency health compensation is vital. There has been a recent US study that has shown very clearly that loss of income was the number one barrier for people voluntarily complying with emergency orders. The SARS commission recommended that any emergency legislation should, and I quote, “require that every government emergency plan provide a basic blueprint for the most predictable types of compensation packages and that they be ready for use, with appropriate tailoring, immediately following any declaration of emergency.”

Bill 56 does not address this recommendation from the SARS commission appropriately. The bill does set out conditions under which employees are entitled to a leave of absence, but that leave of absence is without pay, during an emergency. That is quite contrary to what Justice Campbell recommended after he did the work he did on the SARS report. One would hope that given that he was asked by the government to look at the shortcomings in the system as a result of SARS, what we could have done better and what we should do better the next time, the government would take heed of this recommendation that says very clearly that emergency plans have to provide compensation that has to be put in place. That is a flaw in Bill 56, and it needs to be dealt with.

1750

Secondly, prevention, preparedness and co-operation: Without preparedness, emergency powers are of little use. Specific emergency plans are required for specific threats; generic plans are not enough. In this regard, the SARS commission actually made several recommendations regarding coordinated emergency plans: ensuring the integration of all emergency plans; requiring that every emergency plan specify clearly who is in charge—who does what; clarifying the rules around the administration of and compensation for seized property; and clarifying the legal effects of emergency powers.

Regrettably, Bill 56 does not deal with this very important set of recommendations from the Campbell Commission adequately. It leaves, “the implementation of any emergency plans formulated to cabinet orders, and doesn't specify very much at all in the way of any further requirements after that.” I remind you what Justice Campbell had to say: that the plans should be integrated, that every emergency plan specify clearly who is in charge, that we have rules around administration of and compensation for seized property. So the bill fails in this regard to deal with some of the recommendations that came from the commission, and these changes have to be addressed through the course of public hearings and clause-by-clause.

Number three, who is in charge? It is essential, during an emergency, that the public and those who are fighting the emergency know who is in charge. The SARS commission report stated, “It is essential that the chief medical officer of health be in charge of medical decisions, medical advice and public communication about health risks and safety; that the Commissioner of Emergency Management be in charge of all other matters, and their respective roles be clear.”

The SARS commission report recommended that emergency management legislation be very clear that the special powers that are available in an emergency are in addition to the powers that are found in the Health Protection and Promotion Act, and the declaration of an emergency does not prevent the continuing use of the Health Protection and Promotion Act and the powers found within.

Again, Bill 56 does not address this recommendation adequately. It does acknowledge the continuing rights and roles of the chief medical officer of health, except to the extent that there is a conflict with an order under the new bill—so again, a clear recommendation from the commission to clarify who is in charge of what, and what those specific responsibilities are. Bill 56 goes some way to addressing that, but not all the way with respect to the recommendation that was made in the Campbell report. That needs to be addressed.

The role of the chief medical officer of health: The most important thing in a public health emergency is public confidence that the medical decisions that are being made are being made by a trusted independent medical leader, such as the chief medical officer of health, free from any kind of bureaucratic or political pressures. It is why, when the amendments were made to the Health Protection and Promotion Act, New Democrats argued that the new chief medical officer of health should be independent of government. She should not be an assistant deputy minister in the way she is. I very much like Dr. Basrur. I respect her judgment. However, one of these fine days, her role as chief medical officer of health and her role as an assistant deputy minister of public health in the Ministry of Health will come into conflict and that will cause a lot of chaos and may well undermine the confidence that we have in the decisions that are being made. She should have been independent. Her only role, her only important role, should have been as the chief medical officer of health, independent from government. I regret that that is not the situation.

The SARS commission report recommended that emergency legislation provide that the chief medical officer of health have clear primary authority in respect of public health aspects of every provincial emergency, and it recommended clear lines of communication between the Commissioner of Emergency Management and the chief medical officer of health. However, under Bill 56, the Commissioner of Emergency Management appears to be given primacy in all emergency situations and there seems to be no requirement for the two offices to exercise their authority in consultation with others.



That has to be addressed during the public hearings and during the clause-by-clause.

With respect to specific public health emergency powers, the SARS commission report recommended that every proposed emergency power, before it is enacted, be thoroughly subjected to stringent legal, practical and policy analysis and that the evidence in support of each power be presented in a comprehensive fashion before it is enacted. The report also recommended that "Bill 138 be subject to a fundamental legal and constitutional overhaul" by the Attorney General's office to ensure that it meets the necessary legal and constitutional requirements regarding some of these very specific powers.

Most of the powers remain in Bill 56. There have been some minor wording changes to bring the intended powers in line with existing statutes, but there is no evidence in the bill of the analysis that may have been undertaken before instituting emergency powers enabled by this legislation. Again, if you look at what the chief justice had to say, he was very concerned about the powers that were found in Bill 138 and very concerned about the prior legal and constitutional scrutiny by the Attorney General, and my concern is that not much has changed in moving from Bill 138 to Bill 56 in this regard. If Justice Campbell comes before the committee, I expect that he'll have something to say in that regard.

Bill 138, the "power to override provincial laws": That's under the old bill. What has changed with the new bill? Under the former bill, there was an override power which states that orders under the emergency management legislation prevail over all other rules. The SARS commission report recommended that the government amend the override power in order to do a couple of things: (1) clarify whether the override power affects collective agreements; (2) protect our fundamental legal statutes, such as the Human Rights Code, against an emergency override; (3) clarify whether a journalist or a lawyer who refuses to disclose confidential information or the identity of its source is liable to the penalties provided; and (4) clarify that the override power does not constitute a constitutionally impermissible delegation of legislative powers to public officials.

Bill 56 does not amend the override provision in Bill 138, nor does it give it more prominence in the statute. There is no mention of collective agreements at all despite the fact that Justice Campbell said very clearly in his report that there is a need to protect employees' rights and collective agreements during emergencies. It was one of the recommendations he made, and that does not make its way into Bill 56.

With respect to personal information, the section on offences does now limit the use of personal information during an emergency and clarifies that FIPPA applies as

soon as the emergency is declared to be over. So there are some minor changes, but certainly not a major change around collective agreements, which was clearly articulated by Justice Campbell, as well as some of the override concerns that still exist.

Let me deal with the power to implement emergency plans. The SARS commission report argues that under Bill 138, "The power ... to 'implement emergency plans' is at best ambiguous and at worst lacking in transparency." The quote is, "Arguably what the provision really provides, through the opaque technique of incorporation by reference, is a series of blank cheques which authorize public officials to do anything they see fit so long as it is written down in some plan."

The SARS commission report recommended that there be no hidden powers other than those explicitly set out in an emergency planning bill, and "provide that every emergency plan requires protocols for safe and speedy court access developed in consultation with the judiciary, and that the Courts of Justice Act be amended to ensure an early hearing for any proceeding under or in respect of emergency legislation." Regrettably, the same wording that Justice Campbell had concerns with in Bill 138 seems to make its way into Bill 56. Again, there have to be some changes in that regard.

One final point with respect to the basket clause: At the end of its list of emergency powers, Bill 138 provided a basket clause to catch and include any powers similar to those expressly provided that may prove necessary. Most emergency statutes contain such a clause. However, unlike most statutes, "Bill 138 does not impose any reasonableness standard. Indeed the requirement of reasonable grounds is strikingly absent from Bill 138 as a whole."

So the SARS commission recommended that the basket clause be reviewed on the basis of reasonable apprehension. Regrettably, this concern is not addressed in Bill 56. The original provisions that Justice Campbell had a problem with still remain in Bill 56.

Speaker, you're giving me the nod to wrap up, and this is probably a good time for this particular section. There are a number of concerns that remain that haven't been dealt with, that haven't been fixed from the old Bill 138 to the new Bill 56, and they have to be during the course of the public hearings.

When I speak again, I will talk about some of the very specific concerns that the Ontario Nurses' Association has.

**The Deputy Speaker:** It being 6 of the clock, this House is now adjourned until 6:45 of the clock.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*



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No. 57B

N° 57B

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Second Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Deuxième session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 10 April 2006**

**Lundi 10 avril 2006**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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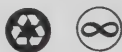
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 10 April 2006

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 10 avril 2006

*The House met at 1845.*

## ORDERS OF THE DAY

### STRONGER CITY OF TORONTO FOR A STRONGER ONTARIO ACT, 2006

#### LOI DE 2006 CRÉANT UN TORONTO PLUS FORT POUR UN ONTARIO PLUS FORT

Resuming the debate adjourned on April 4, 2006, on the motion for second reading of Bill 53, An Act to revise the City of Toronto Acts, 1997 (Nos. 1 and 2), to amend certain public Acts in relation to municipal powers and to repeal certain private Acts relating to the City of Toronto / Projet de loi 53, Loi révisant les lois de 1997 Nos 1 et 2 sur la cité de Toronto, modifiant certaines lois d'intérêt public en ce qui concerne les pouvoirs municipaux et abrogeant certaines lois d'intérêt privé se rapportant à la cité de Toronto.

**The Acting Speaker (Mr. Michael Prue):** It's my understanding that last time Mr. Hudak was in the middle of making his speech, and we will resume the debate.

**Mr. Tim Hudak (Erie-Lincoln):** Now, where was I?

**Mr. Dave Levac (Brant):** Say it again.

**Mr. Hudak:** Say it again. I was discussing the Mississauga plot to take jobs out of the city of Toronto through this bill, if I recall. I think that's where I was.

**Mr. Speaker,** I think I have about 10 minutes left in my remarks, so I'll make sure I cover all the points I had wanted to. I had discussed at some length the artifice of this legislation. They almost could have named the act the I Love Toronto Act, and if you somehow were to vote against it, you didn't like or had some antipathy towards the city of Toronto.

*Interjections.*

**Mr. Hudak:** Some are saying it's true. I don't know if I agree with my colleagues who say that's true. In reality, we would have enjoyed seeing legislation that does something about the doughnut effect that plagues the city of Toronto, that has seen job flight from the city of Toronto to surrounding areas. My friend from Mississauga has seen his community benefit from jobs leaving our provincial capital, this great city, to go to other areas. If this were truly about a vision to make Toronto strong and to achieve its potential as a world-class city, as this legislation purports to do, they would

have addressed the issue of the doughnut effect and the flight of jobs from this province. The last time I spoke, I described in some detail the relevant tax levels faced by businesses in the city of Toronto relevant to surrounding 905 cities, as well as other world-class cities like New York City and Chicago, among others.

The other issue I want to bring forward as part of my remarks is the call to simultaneously fix the governance model while debating some of the regulatory aspects of the City of Toronto Act. Specifically, I'll refer members again to the Toronto Board of Trade report. Their 2006 provincial pre-budget submission is the one I'm reading from, but in a number of their documents they talk about the importance of strengthening Toronto's governance powers, they say, "before granting new powers." I'm sure they would agree with the simultaneous change as well.

I'll read from their report, page 5, again the pre-budget submission: "The Toronto Board of Trade has recommended that the new City of Toronto Act provide the city of Toronto with enhanced powers and new revenue tools. However, a stronger governance structure is also required if Toronto is to receive new powers and ensure that new revenue tools are used responsibly. The Toronto Board of Trade has developed a comprehensive model that we believe would allow the city to develop and implement a strategic, city-wide vision and enhance its accountability to taxpayers. We have also supported the report put forward by the city's Governing Toronto Advisory Panel."

If you want some details, they say in their report, "Our report recommends strengthening the power of the mayor through an executive committee with specific and defined authority." Then further on they say, "The province must work with Toronto to enhance its governance structure. The Toronto Board of Trade does not support the city of Toronto receiving new powers or revenue tools without the necessary governance reform."

I understand that this bill is going to committee in the very near future. I'm very appreciative of that fact, and I'll look forward to further comments from our critic, Mr. Hardeman, and our leader, John Tory, as we move forward. I'm certain Mr. Tory, with great insight into Toronto, has a vision that's actually far greater than this rather vanilla legislation that I don't think will help Toronto achieve its aspirations. Mr. Tory instead would concentrate on how to attract more jobs to the city of Toronto so that the city would receive more revenue for its valuable programs through growth, through attracting more jobs and broadening the assessment base.



Mr. Tory has also talked about accountability measures, ensuring value for money. You can see the Toronto Board of Trade making a similar argument that before conveying new regulatory and taxing authority, there should simultaneously, or even beforehand, be a review of the governance structure in the city of Toronto. I know that a few colleagues of mine who sit in the assembly have been members of the city of Toronto council. Some have spoken about reforms on the governance side. I do hope that the committee process will enable members of the committee from all three parties—including yourself, Mr. Speaker, not in the Speaker's role, but as a former mayor of East York—to take a shot at the governance issue as well as the taxation and regulatory issue, and of course, I'll underline again, address the hole-in-the-doughnut effect that has seen jobs flee the city of Toronto.

1850

Certainly, some recent evidence came forward that we do need a better review of the accountability under the current governance structure. I mentioned a value-for-money analysis of the city of Toronto spending. For example, the National Post reports that the number of city workers in the \$100,000 club jumped 45%. It says "Sunshine List: Spending Out of Control, Taxpayer Group Complains." That's in the National Post of April 1 this year. I think taxpayers who have seen the rates increase in the city of Toronto will be very concerned when they see that kind of growth rate of the \$100,000 club. I think it would be very valuable for us all, whether city of Toronto or members of the Legislative Assembly, to ensure that taxpayers are receiving value for the money simultaneous with this legislation moving forward.

One thing that gives me increasing concern is that when you deal with constituents, or what we will call stakeholder groups, interested groups that want to see an issue move forward through the assembly or Ottawa, you hear more and more, "Let's get all three levels of government together." Or if it's a municipality with an upper and a lower tier, "Let's get all four levels of government together." My goodness, what a recipe for inaction that is. The problem, when you have multiple levels of government involved with a project, is that they tend to point fingers at one another, and ultimately very little is accomplished at the end of the day.

In fact, the waterfront trust I think stands as an example. I was very proud when the Mike Harris government announced the significant funding for the waterfront trust. The city of Toronto and the federal government similarly made contributions. But since that time, many years ago, very little has transpired on the waterfront, I think because there are too many puppet masters pulling strings, so to speak. As a result of the lack of direct accountability for the tax dollars, we've seen very little accomplished. I think we all share that goal of renovating the waterfront in Toronto, bringing more residences, more attractions for tourists, a great walkway—all of these things that we hear described in the newspaper and in the dreamy words of columnists from time to time. But very little work has been accom-

plished between the heady days of the announcements and today, in April 2006, and I think it's because you have too many levels of government involved in the project instead of one clear line of decision-making.

What I worry about is that the broad, permissive approach of this legislation, without further clarity, is going to exacerbate that impact. I worry that you will have the municipal level, if this legislation is translated to other municipalities, overlapping areas that have been in the jurisdiction of the province or even the federal government, which will bring a lack of clarity to taxpayers, will bring confusion to potential investors in the community and ultimately will restrict growth in the city of Toronto.

What I would like to see from this legislation, and perhaps it will be fixed up and clarified in the committee process, is a delineation of what responsibilities will be at the municipal level here in the Toronto—in the Municipal Act down the road—and what responsibilities will be at the provincial level. Only through that clarity will taxpayers then know what level of government to access and to pressure, and stakeholders that are interested in a social program or interested in investing in the community will know who to speak with. We'll see projects facilitated much more rapidly than we do if you have multiple levels of government tripping over one another, as we see today. I worry that many aspects of this bill are simply going to make that challenging situation even worse.

No doubt, political accountability is improved if the elected politicians willing to make the decision, willing to spend the bucks, so to speak, and willing to make the investments are the same politicians who raise the revenue because then there are direct lines of accountability as opposed to one level of government supporting another and those who are delivering the program actually are not accountable for the taxation that brings the revenues forward.

Is that going to be the case in all circumstances? No. There will always be issues of trying to help out less fortunate parts of the province or the country, but that will not always be the case in transfers for equalization purposes, for example. But all in all, I think you should try to move to the reality where the level of government that is spending the funds is the level of government that also collects those funds from taxpayers, which maximizes accountability. I'm afraid this legislation will also move us away from that direction.

I think that's the challenge we have today with some of the services that are partially paid by the municipal tax levy and partially paid by the province of Ontario. You have different levels of government making decisions on spending or making decisions on new regulations or standards, but neither one is directly responsible. As a result, you see the spending going higher and higher and the taxation going higher at a municipal level without seeing the requisite improvement in services.

So I stand with our leader, John Tory, who I think has a very compelling vision of making Toronto an even greater city, a magnet for jobs and for investment, and I worry that Dalton McGuinty's pale vision does not ad-



dress the real issues of what should be on the property tax base and what should be on the provincial tax base, the real issue of the doughnut effect of the flight of jobs from our community and the real issue of duplication of regulation between two levels of government or even more. I do worry that if they don't make changes to the legislation to respond to the petitions of the Toronto Board of Trade, the Canadian Federation of Independent Business, the Canadian Taxpayers Federation, the Jobs Coalition and regular hard-working taxpayers, we won't reverse the decline that we worry about in the city of Toronto.

**The Acting Speaker:** Questions and comments? There being no questions and comments, further debate?

**Ms. Shelley Martel (Nickel Belt):** Speaker, you and the table will be glad, and other members will be glad, to know that I'm not going use my full 20 minutes here.

**Mr. Hudak:** I want to hear it.

**Ms. Martel:** No, you don't. I did want to put a few comments on the record. I've spoken once already today; I don't need to prolong this.

Let me actually start at a point where the Speaker, when he wasn't in the Speaker's chair but speaking as the critic for this particular bill, said that Bill 53 will tinker around the edges of the problems facing Toronto but the real problems facing Toronto really do go back to and stem from so much of what was downloaded as soft services onto the municipality. Speaker, you will know that's not only the case for the city of Toronto, that is the case for so many municipalities right across the province whose municipal property taxpayers are struggling with paying the bills, not only the bills for hard services like sewer, water and roads, which are legitimate expenses for property taxpayers to pay for, but for some years now have continued to struggle under the burden of paying for soft services—child care, Ontario Works, ambulances etc.—that really should be the purview and the responsibility of the provincial government.

I thought it was interesting that in some remarks made early in December, David Crombie, who of course was a former mayor of Toronto, a former member of Parliament, a former federal cabinet minister and president and CEO of the Canadian Urban Institute, said the following on December 5: "When the Harris government downloaded social services and social housing, I said at the time that it was wrong in principle and disastrous in practice. It is still the case, and it would be a responsible action for the current government to upload both these services to restore the balance."

**Mr. Jean-Marc Lalonde (Glengarry—Prescott—Russell):** Who did the downloading?

**Ms. Martel:** Before the Liberal members get all excited about the fact that David Crombie appears to be criticizing the Conservatives, which he did, he also made it very clear that the current government has a responsibility to remedy the situation. I just want to quote him again: "It is still the case, and it would be a responsible action for the current government"—the McGuinty Liberal government—"to upload both these services to

restore the balance." The addition of "McGuinty Liberal government" was my own, not David Crombie's.

So we continue to have this dilemma, and the reality is that this bill does nothing to respond to that very serious problem facing Toronto and so many other municipalities. Let's just look at what the burden has been for property taxpayers across the province to cover some of these soft services. If you look at child care, for example, the municipal amount that is taken from homeowners to pay for child care, which is a soft service that should be covered by the province, is \$193.4 million. The amount for social assistance that is being picked up by property taxpayers in your municipality and mine is \$1.3 billion. The amount for social housing being picked up by property taxpayers is \$880 million; for ambulance services, about \$312.7 million; for public health, \$266.4 million.

**1900**

Some of these services used to be cost-shared with the province. Child care, for example, used to be an 80-20 split. That has changed. There is even more of a burden on municipalities now than there was before. Social housing: We know how much of that burden is being carried by municipalities. While the government is starting to reverse the public health download, it's interesting to note, because this hasn't been a very public matter, that the government this year has told public health agencies that it is capping its share of the money that it is providing to public health agencies at 5% this year. So while many public health units thought that the government promised to significantly shift the burden of payment of public health services from the municipality back up to the province, they are now finding that in fact that shift has some very serious caps and very serious limits on it. In a number of communities, in a number of public health jurisdictions, we're not going to see an overall increase in public health funding. What we're going to see is essentially the province merely subsidizing the amount of money that used to be put in by the municipality. So we're going to be no further ahead in terms of new inspectors, more immunizations and more of dealing with all of those very important things that public health workers deal with on the front line every day.

Those kinds of numbers were reinforced this summer by the Association of Municipalities of Ontario. In August, I believe, AMO released a document that talked about Ontario's gap. This is interesting, because the McGuinty government has spent a lot of time and energy talking about the gap between the federal government and the province and how Ontario is being shortchanged under that equation. What is interesting is that I've heard very little from the McGuinty government about the gap they have left with respect to their lack of funding and so many municipalities picking up those costs with respect to services that really should be a provincial responsibility.

AMO, to its credit, put out a document this summer called Ontario's \$3-billion Provincial Municipal Fiscal Gap. I just want to read some of this into the record because I thought it was important that, while at the same



time Ontario tries to lobby the federal government for funding that the McGuinty Liberal government feels is rightly theirs, the McGuinty government has to realize there is money that they owe to the municipalities. Their argument with the feds would be much more credible, and much more balanced, if indeed they addressed the gap with their municipal partners. Here are some of the quotes that come from this document.

"Did you know that municipal governments in Ontario are required to subsidize the provincial treasury to the tune of more than \$3 billion a year? It's a fact. If you ever wondered why Ontario has the highest municipal property taxes in Canada, now you have the answer." This is as true for property taxpayers in Toronto as it is for property taxpayers in my riding, in my hometown, and in so many other communities. Here are some of the facts that you should know. "Ontario is the only province in Canada where municipal property taxes are used to subsidize provincial health and social services programs, like welfare and employment services, disability benefits, drug benefits, social housing, child care, homes for the aged, public health and ambulance services.

"The federal government noted this situation in its 2004 federal budget: '... spending for social services, health and housing represents a very small share of municipal expenditures in most provinces, except in Ontario where it represents almost a third of total (gross) municipal spending.'

"One third of municipal spending goes to provincial health and social services programs?

"...Municipal governments in Ontario spend over \$8 billion a year on provincial health and social services programs. That's about one third of the total municipal operating expenditures of \$23 billion a year. When you subtract provincial cost-sharing for some of these programs, federal contributions and user charges, the net municipal subsidy paid toward provincial health and social service programs is more than \$3 billion a year." Something has to be done. Something has to change.

I use this to reference back to the bill before us, because I have to tell you that unless and until we see some changes in the downloading—i.e. an uploading of some of those soft services back to the province—the bill that's before us is not going to make the city work. The commitment on the part of the government has to be to deal with the download—to deal with the download in the city of Toronto, to deal with the download in other municipalities—because that's the only way that our cities are going to be able to function properly.

If you look just very specifically at the city of Toronto, the city started 2006 with an estimated \$415-million shortfall in its budget. Now, we all know that in the budget that was recently released by the McGuinty Liberals, the city was given \$200 million in one-time funding. I don't pretend to know all of the details with respect to the qualifications, restrictions or conditions around that one-time funding. It may be applied to the deficit that they were already dealing with. It doesn't resolve the problem that the city still has. It might reduce it

somewhat, but the bigger issue is, what does it do for next year? It's one-time-only funding—the city of Toronto, mayor and council, cap in hand back to the province to deal with what is surely going to be a funding problem, a funding crisis, again next year.

When you look at the services that are being provided by the city—housing, most assuredly, the capital needs that this city requires to deal with its social housing, the costs that the city incurs to deal with its portion of the Ontario disability and drug benefit programs and other income support programs—these costs are enormous for this city. Unless and until this government decides that not only do they have a gap with the federal government that needs to be addressed, but they've got a gap with municipal governments that they've got to deal with, bills like Bill 53 that give new powers to the city will not resolve the long-standing, outstanding, serious problems that are facing the city and other cities; that is, the burden that is being paid and picked up by municipal taxpayers for soft services that should be the jurisdiction and the responsibility of the provincial government.

Let me conclude by saying there are things in here that we agree with. There are concerns that we have with respect to the override provisions, specifically the override provision that the province has even when the city sets out its governance structure, for the province to override that and to make changes. There's a concern that we have with respect to bylaws, where the city can, of course, put forward a bylaw and then the province can claim provincial interest and suspend that bylaw for 18 months, pending a legislative review. Those are some of the concerns that we have with the technical details in the bill, but I know it's going to be going to committee, so perhaps some of those will be dealt with then.

At the end of the day, the bill really just tinkers around the edges of what the real problems are facing the city and so many other cities. Just as David Crombie said, it is the responsibility of this government now to deal with the downloading and to ensure that this government uploads both of these services so that municipal taxpayers don't continue to be so hard hit paying for soft services they should not be paying for.

**The Acting Speaker:** Questions and comments?

**Mr. Norman W. Sterling (Lanark–Carleton):** I just have one comment. I don't know why the city of Ottawa is not being dealt with in the same manner. I mean, it's the fourth-largest city in Canada, the second-largest city in Ontario.

*Interjection.*

**Mr. Sterling:** Somebody over here is saying—

**The Acting Speaker:** If I could remind the honourable member, it's a question and comment on issues raised by the member from Nickel Belt. I don't remember her raising that particular issue and would ask you to comment on what she had to say.

**Mr. Sterling:** Mr. Speaker, if you go back to the early part of her speech, she did talk about other cities, and I'm talking about other cities. I'm just commenting with regard to the city of Ottawa, which has the same fiscal



problems that the city of Toronto has. We have two cabinet ministers from the city of Ottawa—actually, we have the Premier from the city of Ottawa—and yet in the most recent budget we were left out of it, for all practical purposes. So I just don't understand—I understand why the city of Toronto has to have a piece of legislation, but I just don't understand why the city of Ottawa can't be included in the same envelope. Thank you very much.

1910

**The Acting Speaker:** Questions and comments? The member from Nickel Belt has two minutes to respond.

*Interjection.*

**The Acting Speaker:** The member having declined, further debate.

**Mr. Cameron Jackson (Burlington):** My comments will be brief. I just wanted to put a couple of comments on the record. As has been alluded to earlier, this is a very large piece of legislation. It's over 200 pages. There are some elements to this bill which are very positive. Municipalities have been asking for these kinds of authorities and regulatory power, and some of them are rather benign, like picking their ward boundaries, the number of council members. This would be done through consultation, so I have no problem with any of that part of the legislation. In fact, I sense that many municipalities would like that authority.

The first concern is that this is simply just a bill for the city of Toronto, and as has been alluded to, there are other municipalities that are asking for similar treatment. But I want to remind members that there's only one taxpayer here. When everybody talks about soft services and hard services and the ability to tax more, one of the things that's always lost in this debate is the fact that there is a freeze on educational tax increases. Frankly, in this province for the last 20 years the legacy of all levels of government with taxing authority—and of course, our trustees are among the few in Canada that have municipal taxing authority—is that they were going up at double digits with regular frequency and that our municipal councils and our regional councils were going up far less, at a more responsible rate. Mr. Speaker, you will remember those days fondly in your role as both a mayor and a councillor and the frustration that you experienced watching your education taxes go up. That has put additional pressure on this new government, because they are now having to come up with additional dollars without putting it on the backs of our municipalities. But that tax capacity shouldn't be now surrendered to municipalities without some clear conditions on it.

For the record, the one area that concerns me the most is the broader authority for municipalities, in this case the city of Toronto, to undertake economic development opportunities to assist in their economic competitiveness. Now, that is code for being able to make arrangements for new assessment to enter into your community. Generally, employment opportunities are the most attractive. We've had rules in this province for the last 50 years that prevent municipalities from giving away free taxation, giving away free hydro as a means to shift the balance to

make people come to one community over the other. The great equalizer was the assessment that is charged in each community and that they have to be held accountable for. I come from a community and a region, Halton, that has benefited from the fact that Hamilton has not been in as competitive a position, and that's unfortunate. But there were reasons for that historical evolution and the reason that we don't want to put businesses in any community in a more difficult position because they're required to pay additional taxes, additional fees, because the municipality sees this as an opportunity to grab more revenue, because there are always fewer businesses versus the number of residential taxpayers.

Finally, I look at this legislation and I worry about the additional taxation powers for the city of Toronto as it relates to its challenges with its garbage. Again, the Speaker is very much aware of this issue and has been very outspoken about it. I listen to him carefully because I certainly don't want Toronto to fail in its bid to manage this issue fairly and effectively, and cost-effectively as well. That's very important to all of Ontario because of the enormity of that issue. Halton region wants nothing do with the city of Toronto ever moving its garbage to Halton because we have such large capacity. We paid a very big price for that. Our taxpayers bore that without any support from the province, and we deserve to be allowed to take care of our own needs.

I wanted to put that on the record. I hope this bill gets a thorough debate, which I'm sure it will.

Mr. Speaker, I move that we adjourn the debate.

**The Acting Speaker:** Any further debate? I think your motion is redundant then; I don't think there was going to be any anyway.

There being no further debate, and the minister not being here, Mr. Gerretsen has moved second reading of Bill 53. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

Shall the bill be ordered for third reading?

**Interjection:** No.

To which committee shall the bill be referred?

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** The bill should be referred to the general government committee, please.

**The Acting Speaker:** The bill is accordingly referred to the standing committee on general government.

Orders of the day?

**Hon. Mr. Bradley:** I move adjournment of the House.

**The Acting Speaker:** Mr. Bradley has moved adjournment of the House. Is it agreed? Carried.

This House stands adjourned until 1:30 tomorrow afternoon.

*The House adjourned at 1917.*



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No. 58A

N° 58A

ISSN 1180-2987

## Legislative Assembly of Ontario

Second Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 11 April 2006

Mardi 11 avril 2006

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 11 April 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 11 avril 2006

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### CHILDREN WITH SPECIAL NEEDS

**Mrs. Julia Munro (York North):** It's not only in health care that wait times are increasing. The Liberals promised Ontario in the last election that they would help the children who need help the most: those with special needs. More than 9,000 disabled Ontario children are on waiting lists at children's treatment centres, awaiting services or therapy. In one year, the number of children on the waiting list has increased by 25%. The average time that kids are waiting has increased from 24 to 31 weeks in just one year.

Why are Ontarians paying more in taxes while disabled children, our most vulnerable people, are receiving less service? These services are vital. We know that early intervention helps many disabled children reach their full potential. It is more effective and reduces hospitalization. Yet the McGuinty government did not give these services any increase last year, and no specific commitment this year. No wonder wait times are increasing.

Your government promised to help Ontario's children, but you have broken your promise. You have even cut the budget for the Ministry of Children. Ontarians are paying more taxes, so why isn't there enough money for children with disabilities? Our children deserve an answer.

#### SCARBOROUGH WALK OF FAME

**Mr. Brad Duguid (Scarborough Centre):** What do NBA basketball star Jamaal Magloire, renowned Canadian artist Doris McCarthy, internationally recognized plastic surgeon Dr. Lloyd Carlsen, broadcaster and community activist David Onley, Vicky Sunohara, a veteran member of the Olympic women's hockey team, Order of Canada recipient Dr. Joseph Wong, and Juno Award-winning recording artist Maestro Fresh Wes Williams all have in common? They are the inaugural inductees in the Scarborough Walk of Fame.

The Scarborough Walk of Fame is the initiative of Stand Up Scarborough. It is designed to celebrate members of the community, present and past, who have made outstanding contributions in their fields of endeavour and who are recognized for their achievements locally, nationally and internationally.

The event, planned for May 17, 2006, has two major elements: the embedding of the inductees' stars in a permanent installation at the Scarborough Town Centre at 2 p.m., followed by an evening awards gala at the Delta Toronto East for 500 guests, hosted by television personalities Colin Mochrie and his wife, Debra McGrath.

As an important part of the plans for the gala evening, net proceeds from the dinner and an on-site fundraising raffle, up to a total of \$30,000, will go to support three not-for-profit organizations which, through their activities, have made a real contribution to the lives of young people in Scarborough. The three charities that have been selected are Tropicana Community Services, East Scarborough Storefront and West Scarborough Neighbourhood Community Centre. For more information, go to the Stand Up Scarborough website, [www.standupscarborough.ca](http://www.standupscarborough.ca).

#### HEALTH CARE

**Mrs. Christine Elliott (Whitby-Ajax):** Yesterday the Minister of Health was telling us that all is okay in Ontario when it comes to patient wait times, using median wait times as the backbone of his argument. This does not give Ontarians an accurate picture of where matters stand.

The McGuinty Liberals are simply incapable of being straight with Ontarians, and patient wait times are no exception. Using phony numbers and inaccurate calculations may shield them for now, but I can tell you, the people of Whitby-Ajax are not easily fooled.

During the by-election, wait times were a major issue for constituents in Whitby-Ajax as I went door to door listening to their concerns. They knew the McGuinty Liberals had made numerous promises when it came to wait times, but like many other promises, they knew they would never follow through.

In Whitby-Ajax, local cancer surgery wait times are up 67%, hip replacement wait times are up 59% and angioplasty wait times are up a whopping 213%.

On March 30, the people of Whitby-Ajax said they had had enough of broken promises and paying more while getting less from the McGuinty Liberals. They've had enough of phony statistics and inaccurate information. They want results on wait times.

I was sent here to try to deliver those results. I will be working hard to make sure the McGuinty Liberals are held accountable for their broken promises on wait times. The people of Whitby-Ajax deserve better, and I will be working hard to make sure that happens.

## HERITAGE PROGRAMS

**Mr. Rosario Marchese (Trinity–Spadina):** I want to talk briefly about the black history and culture programs that exist—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order. This isn't a good start. Start over, member for Trinity–Spadina.

**Mr. Marchese:** Thank you, Speaker, for helping me out in that regard.

I want to talk about the promotion of black history and culture programs. Part of the petition reads as follows:

"Whereas the black cultural heritage program at the Toronto District School Board provides a valuable program where children in elementary school learn about the origins, history and the role of black people throughout Canada and around the world; ...

"Whereas when he was the opposition critic responsible for education, the" former "Minister of Education supported the funding of these programs:

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to provide Ministry of Education funding for the black cultural heritage program in the upcoming budget."

We know that the former Minister of Education met with this group. Recently I got a letter from the chair of the committee for the promotion of black history and culture programs, and she says the following:

"I am writing you on behalf of the committee for the promotion of black history and culture programs.... As you were present when the former Minister of Education, Minister Kennedy, initiated a desire to meet with the committee, and host of the press conference held on February 28, 2006, I value your input and direction. I'm disappointed and concerned about the fact that Kennedy never followed up on several letters and phone calls to his office. I'm very concerned as to the whereabouts of the petitions we handed over, as the Minister of Education office has not been able to answer that question, and has also stated that they don't know if Minister Papatello will take up the issue, and further recommended that maybe we start from scratch."

They're looking to the new minister to—

**The Speaker:** Thank you.

1340

## PARKINSON'S DISEASE

**Mrs. Linda Jeffrey (Brampton Centre):** Parkinson's disease is a neurodegenerative disease that slowly robs a person of their independence. It is a cruel disease that takes over entire lives; not only the person affected by Parkinson's but also their family. For most, their minds stay sharp while every day they witness their body's decreasing limitations due to tremors, slowness, stiffness, impaired balance and rigid muscles. Some may have difficulty walking, talking and swallowing. This disease is complex, hard to diagnose and random. It can strike anyone, women and men of all ages, ethnic backgrounds

and lifestyles, and while the vast majority of people with Parkinson's are over 60, 10% are diagnosed before the age of 50, many of them in their 30s and 40s when they are busy raising children and building careers.

April is Parkinson's Awareness Month, and I am pleased to have several members of the Parkinson's Society of Canada attending in our gallery today.

We can improve the quality of life for people living with Parkinson's disease through research, education, advocacy and support services.

I encourage members to participate in SuperWalk 2006 this September. This walk is the largest national fundraiser for the Parkinson's Society of Canada. Last year alone, over \$600,000 was raised for research. Together, we have the ability to make a difference.

The James Parkinson tulip for years has been a symbol of Parkinson's disease and has become a hope for a cure. Mr. Speaker, I seek unanimous consent to wear the tulip pin to commemorate Parkinson's Awareness Month.

**The Speaker (Hon. Michael A. Brown):** Mrs. Jeffrey has asked for unanimous consent to wear the tulip pin in recognition of Parkinson's Awareness Month. Agreed? Agreed.

## HEALTH CARE

**Mr. Ted Arnott (Waterloo–Wellington):** The McGuinty Liberals' broken promises mean that Ontarians are paying more and getting less when it comes to their health care.

While in opposition, the Liberals promised to reduce wait times. When they came to power, the Minister of Health promised a wait times website that would let Ontarians know how long they would have to wait for crucial procedures. He promised in November 2004 that the website would be up in a matter of months. At the time, he said, "The more Ontarians know about the wait time situation, the more empowered they will be to hold the government ... to account." The following month he promised that the website would be updated with information about how long patients were waiting.

Almost a year later, in October 2005, the information was finally posted. The minister claimed the data was reliable and up to date. However, as soon as the minister was questioned on the data, he began to back away from it. He did this back in December when he said that we really couldn't trust his website; then he did it again yesterday when our caucus confronted him with evidence that wait times are increasing in many communities across Ontario. For example, he has presided over a 14% increase to cancer surgery wait times in the Waterloo–Wellington LHIN. This is totally unacceptable.

With cancer wait times growing longer, Ontarians rightly wonder where the health tax money has gone. We do know it was the largest tax increase in history, we know it broke the central promise of the Liberals' election campaign, and we know that a middle-income taxpayer is paying \$600 more a year tax in provincial tax and getting less. Ontarians as a whole are paying more



and getting less, proof that the McGuinty Liberal government is conniving, incompetent and—

**The Speaker (Hon. Michael A. Brown):** Members' statements.

#### EVENTS IN DON VALLEY WEST

**Ms. Kathleen O. Wynne (Don Valley West):** I rise today to recognize and celebrate community volunteerism and enthusiasm in my riding of Don Valley West.

Last Friday, I had the pleasure of presenting team awards to the Leaside Flames atom hockey team. The Flames had a stellar season which culminated in their winning the Greater Toronto Hockey League championship. Anyone who has coached a community team or driven kids to practice on a dark winter morning knows the long hours of dedication that support a team like the Flames. The Flames went on to host the Ontario Hockey Federation championship tournament, and this would not have been possible without the support of boosters and local organization and companies.

I want to recognize that effort today, and in particular Chick Evans, the Greater Toronto Hockey League director, David Damon, the Ontario Hockey Federation treasurer, and local folks Ian Beverly and Thanaf Kirkof, the co-chairs of the host organizing committee.

I also want to celebrate an event in the north end of my riding, not in an arena but in a school, last Saturday morning. The Owen Public School Festival of Words, spearheaded by Shannon MacDonald, chair of the school council, was a wonderful blend of music featuring Owen Sound's music sensation Tanglefoot and workshops on reading and family literacy. Dozens of kids with their moms, dads and friends filled the school library. This is the kind of community use of schools that instills a love of reading and builds community all at the same time.

Many thanks to the parents and community members of Leaside, York Mills and communities across Don Valley West and indeed across the province who play such an important role in building community, bettering the lives of our children and challenging them to dream and strive for goals on the ice, in school and in their lives.

#### HEALTH CARE

**Mr. John Wilkinson (Perth-Middlesex):** In the business world that both I and the Leader of the Opposition come from, the rules are very simple: If you disclose only some of the financial facts of a business transaction, you get sued. If, heaven forbid, you get sued and end up in court, the law says you must swear to tell the truth, the whole truth and nothing but the truth. Selectively cherry-picking facts is not allowed.

Yesterday, after question period, I called Andrew Williams, the CEO of the Huron-Perth Healthcare Alliance. I raised with him John Tory's allegation that cancer wait times are up dramatically—some 38% at Stratford General Hospital. I cannot tell you how deeply disappointed the wonderful and caring health care professionals in my hometown were to hear that Mr. Tory did

not take the time to get all of the facts. Had he taken his own advice and picked up the phone, he would have learned what I have just learned: Namely, that looking at surgeries performed over the Christmas period in a rural hospital is a mug's game. The CEO has advised me that, based on the latest available numbers, which will be posted to the wait times website in four days, average cancer wait times are not up 10 days but two. Average cataract wait times are down 29 days, and average knee replacement wait times are down 102 days.

I say to John Tory, this is the truth, the whole truth and nothing but the truth. You and your researchers should try it, sir. Both the courts and the people of Stratford take a very dim view of factual cherry pickers.

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I would like to take this opportunity to applaud the government for the health initiatives announced in the budget committing itself to the health needs of the people of Ontario and of the GTA.

I believe we are all aware of the prime importance of health care and what role it plays in the lives of Ontario citizens on a daily basis. The government's dedication to provide an additional \$1.9 billion for health care in 2006-07 alone—which will, by 2008-09, total \$34.4 billion in additional investment in health care services—is the first time in Ontario's history that a government has made a multi-year funding commitment to hospitals in the province. This will provide hospitals in all of Ontario with stable funding that will help in long-term planning. This, as well as the continued endeavour to provide shorter wait times for patients, shows all Ontarians how important health concerns are to this government.

In Scarborough we have seen increased funding to hospitals, a wait-time strategy implemented, funding for equipment, improvement and repair for existing hospital infrastructure, as well as investments in community health and community mental health services. In addition, the government has made clear that it will do all it can to help maintain and support 24-hours-a-day, seven-days-a-week services for all three main hospitals in the Scarborough area. The government is doing much to provide patients in my riding access to the services they need when they need them.

Those of us in my riding are eager to see all these efforts bear fruit in Scarborough as well as across the rest of the province.

#### INTRODUCTION OF BILLS

##### PENSION BENEFITS AMENDMENT ACT, 2006

##### LOI DE 2006 MODIFIANT LA LOI SUR LES RÉGIMES DE RETRAITE

Mr. Levac moved first reading of the following bill:

Bill 99, An Act to amend the Pension Benefits Act /  
Projet de loi 99, Loi modifiant la Loi sur les régimes de  
retraite.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** Let's find out what this is about.

**Mr. Dave Levac (Brant):** I've got somebody's attention for sure.

The bill will allow police officers who are transferred from municipal police services to the OPP to transfer their pensions from the municipal pension plan to the OPP pension plan. This is currently not possible, and seriously disadvantages the officers whose municipalities have chosen to contract out their police services to the Ontario Provincial Police.

I would like us to support this bill and make sure that those police officers, when they retire, receive this pension.

# PROTECTION OF MINORS FROM SEXUALLY EXPLICIT GOODS AND SERVICES ACT, 2006

## LOI DE 2006 SUR LA PROTECTION DES MINEURS CONTRE LES BIENS ET SERVICES SEXUELLEMENT EXPLICITES

Mr. O'Toole moved first reading of the following bill:

Bill 100, An Act to protect minors from exposure to sexually explicit goods and services / Projet de loi 100, Loi visant à protéger les mineurs contre les biens et services sexuellement explicites.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

**Mr. John O'Toole (Durham):** I'd like to recognize the work that was done on this particular bill by Bob Wood, a former member of this Legislature.

The bill prohibits persons from knowingly selling, offering to sell, distributing, offering to distribute, or displaying sexually explicit goods or services to a minor in any premises or place.

## MOTIONS

### HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Tuesday, April 11, 2006, for the purpose of considering government business.

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley has moved government notice of motion number 98. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1352 to 1357.*

**The Speaker:** Mr. Bradley has moved government notice of motion number 98. All those in favour will please rise one at a time and be recognized by the Clerk.

### Ayes

Amott, Ted	Gravelle, Michael	Peters, Steve
Arthurs, Wayne	Hoy, Pat	Peterson, Tim
Balkissoon, Bas	Hudak, Tim	Phillips, Gerry
Barrett, Toby	Jackson, Cameron	Qadri, Shafiq
Bartolucci, Rick	Jeffrey, Linda	Racco, Mario G.
Bentley, Christopher	Kular, Kuldip	Ramal, Khalil
Berardinetti, Lorenzo	Kwint, Monte	Ramsay, David
Bradley, James J.	Lalonde, Jean-Marc	Rinaldi, Lou
Broten, Laurel C.	Leal, Jeff	Sandals, Liz
Bryant, Michael	Levac, Dave	Scott, Laurie
Cansfield, Donna H.	MacLeod, Lisa	Sergio, Mario
Caplan, David	Matthews, Deborah	Smith, Monique
Craitor, Kim	Mauvo, Bill	Smitherman, George
Crozier, Bruce	McMeekin, Ted	Sorbara, Gregory S.
Deaney, Bob	McNeely, Phil	Tascona, Joseph N.
Di Cocco, Caroline	Meilleur, Madeleine	Van Bommel, Maria
Dombrowsky, Leona	Miller, Norm	Watson, Jim
Duguid, Brad	Milloy, John	Wilkinson, John
Duncan, Dwight	Mitchell, Carol	Wong, Tony C.
Elliott, Christine	Munro, Julia	Wynne, Kathleen O.
Flynn, Kevin Daniel	O'Toole, John	Yakubski, John
Fonseca, Peter	Parsons, Ernie	Zimmer, David
Gerretsen, John	Patten, Richard	

**The Speaker:** All those opposed will please rise one at a time and be recorded by the Clerk.

### Nays

Hardeman, Ernie	Marchese, Rosario	Ouellette, Jerry J.
Horwath, Andrea	Martel, Shelley	Prue, Michael
Kormos, Peter	Murdoch, Bill	Tabuns, Peter

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 68; the nays are 9.

**The Speaker:** I declare the motion carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### ENERGY CONSERVATION

**Hon. Donna H. Cansfield (Minister of Energy):** Today the McGuinty government is taking another step in helping to build a culture of conservation in this province. Earlier today I was joined by Peter Love, Ontario's chief conservation officer, to launch Every Kilo-watt Counts, a new campaign that will help Ontario consumers save energy and save money.

Ontarians are well aware that the energy sector is facing a big challenge. We need to bring online over 25,000 megawatts of generation by 2020. Obviously, that's no small feat. We are already bringing on more than 10,000 megawatts of new generation online, with 2,900 megawatts already online.



As we continue to build new generation, we must also invest in conservation. It is cheaper to save a kilowatt than to generate a kilowatt. Beginning this month, consumers will benefit from the Cool Savings rebate program, a part of this new campaign. The conservation bureau has partnered with the Heating, Refrigeration and Air Conditioning Institute of Canada and has designed a program that will help reduce peak demand for electricity this summer and reduce overall demand during cooling seasons in years to come.

Consumers who participate in the program will receive a \$500 rebate when they replace an inefficient central air conditioner with a new Energy Star-related unit. Also under this program, there is a \$50 rebate for those who have their air conditioner tuned up, and a \$75 rebate on the supply and installation of a programmable thermostat.

The rebate incentives announced today will be in effect April 21. Rebate coupons will be mailed to every household in Ontario in April and will be redeemable at retailers across the province. This is the first of many consumer-focused programs that the Ministry of Energy and the conservation bureau are working on for the summer of 2006.

I'm pleased to note that today's announcement builds on the government's commitment to building a culture of conservation. We created the conservation bureau. We removed the financial disincentives that local distribution companies had faced when helping customers conserve energy, and the result is that \$160 million has been invested into community-based conservation programs that will be run by local utilities—one of the largest such investments in this province's history. Already, \$34 million worth of conservation programs have been rolled out across this province.

We have also directed the Ontario Power Authority to develop conservation programs to procure up to 1,300 megawatts of conservation and demand-side management, including: up to 500 megawatts of demand response and demand management programs across the province; up to 100 megawatts of conservation for the low-income and social housing sector; up to 100 megawatts to take energy-inefficient appliances out of service and to encourage energy-efficient lighting; up to 150 megawatts in the residential sector and an additional 150 megawatts in the commercial buildings and MUSH sector—the municipalities, universities, schools and hospitals; up to 300 megawatts of conservation and demand-side management programs in the city of Toronto.

We are leading by example. This government is well on its way to achieving its own 10% electricity reduction target at government-owned facilities.

In all, this government has put into motion initiatives and policies that will result in an estimated \$1.5 billion of conservation investment, all in an effort to give the people of Ontario the tools that they need to become a part of the conservation culture of this province.

Thank you very much, Mr. Speaker.

## NORTHERN ONTARIO

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** I am very pleased to rise in the House this week to inform members of yet another action by our government to improve the quality of life for northern residents. Last week, I spoke about a number of new initiatives under our northern prosperity plan. They include record-setting infrastructure investments and exciting initiatives to strengthen the competitiveness and sustainability of our provincial minerals sector.

This past Friday, I was honoured to join Premier Dalton McGuinty in Sudbury and to have my colleagues parliamentary assistant Bill Mauro and MPP Michael Gravelle in Thunder Bay to celebrate the fact that the Northern Ontario School of Medicine bursary fund campaign had raised \$6.7 million.

Our government, through the Northern Ontario Heritage Fund Corp., had previously committed to match funding raised up to \$5 million. The Premier fulfilled that commitment and announced that the government would provide the additional \$1.7 million, thus matching the entire amount. This amount is above and beyond the government's current commitment of \$95.3 million over three years towards the Northern Ontario School of Medicine.

The bursary fund will help students from northern, rural and remote communities with the cost of medical school and help them avoid significant debt at the end of their training. We know that if young people from the north study in the north, there is a good chance they will become doctors in the north.

My northern colleagues and I also know that northerners possess an unparalleled tenacity when they tackle the work at hand. Clearly, that has been the case in the bursary fund campaign. When you consider the relatively short period the campaign has been under way, this is truly an astonishing feat in fundraising. An accomplishment of this magnitude could not have been possible without the participation of many northerners guided by the campaign co-chairs, renowned fundraiser Gerry Loughheed Jr. from northeastern Ontario, who has raised over \$23.5 million for the Sudbury Regional Hospital through the Heart and Soul Campaign, and tenacious Greg Pilot from Thunder Bay.

I would also like to acknowledge the board of directors of the Northern Ontario Heritage Fund Corp. Although these women and men represent different constituencies throughout northern Ontario, they understand the importance of our future doctors for the greater collective good of all of northern Ontario.

No institution has captivated the imagination of so many northerners as has the medical school. No institution is winning the hearts of so many northerners as is the medical school. Northerners know that this is more than just simply the first new medical school in Canada in almost 40 years; it is an institution that embodies our collective hopes and dreams for a brighter future.

The bursary fund campaign has been a huge success, but our work is not over. Our government will keep



working with northerners to strengthen the Northern Ontario School of Medicine and improve access to care. It's part of our plan to build prosperity for working families by investing in the health of our people.

## ONTARIO FILM AND TELEVISION INDUSTRY

**Hon. Caroline Di Cocco (Minister of Culture):** The entertainment and creative cluster, which includes the film and television industry, is one of the many success stories of our province's diverse economy. We believe we have the right combination of people, expertise, facilities, sites and now the financial incentives to protect Ontario's position as the leading film and television production centre in Canada.

Our province is North America's third-largest employer in the creative industries, after California and New York. Creative industries contributed almost \$10 billion to the provincial economy in 2004, and they are expected to be among the top three growth industries over the next two decades.

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One of the many companies in our entertainment and creative cluster is CORE Feature Animation, a Toronto-based company and leading creator of digital visual effects and animation for feature film and television. It is a model of a successful Ontario-based media enterprise. I'd like to welcome Bob Munroe, CORE's president and co-founder; John Mariella and Kyle Menzies, vice-presidents and co-founders; as well as Ron Estey, chief financial officer and managing director, who are sitting in the gallery today. I'd like them to stand.

*Applause.*

**Hon. Ms. Di Cocco:** Thank you.

Later on today, I will be attending a special preview of the exciting Disney animated feature *The Wild*, made here in Ontario with CORE's creative expertise. Today, CORE is one of the top 10 studios in the world to watch, according to the respected trade publication *3D World* magazine. Over the past decade, the CORE team has been an essential part of over 55 feature films, 50 television series and numerous movies of the week, such as *Dr. Doolittle* and *Siblings*.

Our government recognizes that a strong and sustainable film and television industry is a major contributor to Ontario's economy and quality of life. Film and TV production in Ontario generates \$2 billion per year and accounts for nearly 20,000 jobs. The budget tabled on March 23 demonstrates the Ontario government's determination to maintain and enhance the entertainment and creative cluster under the leadership of Premier McGuinty.

Specifically, we propose:

—to extend the enhanced 18% tax credit for film production services to March 2007;

—to expand eligibility for the Ontario interactive digital media tax credit and increase the tax credit from 20% to 30% for smaller businesses;

—to dedicate \$7.5 million over three years to the entertainment and creative cluster partnerships fund; and finally,

—to give \$23 million to the Ontario Media Development Corp. to lead and implement a development strategy for the entertainment and creative cluster.

The measures which the government has undertaken demonstrate our commitment to maintain and enhance the film and television industry leadership.

**The Speaker (Hon. Michael A. Brown):** Responses?

## ENERGY CONSERVATION

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):**

It's my pleasure to respond to the statement by the Minister of Energy. Earlier today at the press conference, I actually said that I thought the government was taking a step in a positive direction with their announcement today. Under closer examination, I have to say that I want to withdraw some of that support.

There's no question about it; we have to do what we can to reduce energy usage in this province. But this announcement, when I see a lot of the details, is kind of a closed-club announcement. We have all kinds of air-conditioning installers in this province who are not members of the HRAC. This is not a consumer rebate. Only if a member contractor installs your air conditioner are you going to be eligible for that, and only if a contractor installs a \$75 programmable thermostat—you can buy them for less now—are you going to get the rebate. Install a \$75 thermostat for \$300 and you get a rebate. I've installed these thermostats myself; they are not complicated.

We have to actually ask ourselves if we're doing something for consumers here or if the government, in concert with their conservation czar, Mr. Peter Love—who incidentally has done pretty good for a guy who wrote a report last year that basically told us we're using too much power. That was a revelation. But at 300K plus a year, not too bad. The government is giving him a good paycheque for the work he's doing, no question about that.

But as to these air conditioners they're talking about, they raised the standards for the seasonal energy efficiency rating from 10 to 13. Manufacturers have now produced a lot of these at SEER 13, but the rebate only comes into play if you're installing a SEER 14. I spoke to one wholesaler today who has already had orders cancelled for over half a million dollars of air conditioners because they're SEER 13, not 14. So you have to ask yourself, when they devise these plans, who are they talking to?

Getting back to the big picture, there's no question about it, we've got to reduce the amount, the use of power where we can. We've got to do it. But why has the government got itself into this mess? You need only have listened to Adam White at the AMPCO breakfast yesterday. They've created a power crisis because they're intent on shutting down enough power in this province to



supply electricity to almost two million homes. When you decide you're going to cut off the power to two million homes, you're going to have a crisis. We'll see what kind of a crisis they're creating tomorrow when they release their new pricing in this province.

#### ONTARIO FILM AND TELEVISION INDUSTRY

**Mrs. Julia Munro (York North):** I'm responding to the announcement made by the Minister of Culture. First of all, on behalf of John Tory and the PC caucus, I welcome the members of CORE Animation to the Legislature and commend you for the contribution you make to the industry and to our province.

To the new minister, congratulations for the commitment you have made to the film industry following the leadership of the previous government in setting up tax credits. Last year, it was only after the pressure of a news conference with members of the film industry by our leader, John Tory, that this government remembered its promise to increase tax credits.

To those members of the entertainment and creative cluster, congratulations on today's recognition of your important contributions to our society and our economy.

#### NORTHERN ONTARIO

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** I wish to respond to the announcement made by the Minister of Northern Development and Mines. I think we can both be proud of the investment we've made in the northern medical school. Our government announced it in 2001. This week the Honourable Tony Clement was able to move forward and officially open the research labs that had been committed to by the previous Liberal government. So I think when it comes to the northern medical school, we identified the need, we announced it, we moved forward and I'm very pleased that you are continuing to support the school.

#### ENERGY CONSERVATION

**Mr. Howard Hampton (Kenora-Rainy River):** Today the Pembina Institute released their report, A Quick-Start Energy-Efficiency Strategy for Ontario, and it's an excellent report. It talks about how we can reduce electricity consumption by 4,500 megawatts by the year 2012. It lists all the practical things that could be done and points out that these things are being done in fact in California, Vermont, New York, and they're being done now in Manitoba and Quebec. It's a wonderful report.

This wonderful report was followed by a rather dim press conference by the Minister of Energy, where all she could announce for energy efficiency was \$15 million. Did it come anywhere close to California or New England or even what they're doing in Manitoba or Quebec? Nowhere. It was a confused and confusing announcement about central air conditioning.

Here is the real McGuinty energy policy: \$40 billion for mega nuclear plants and \$15 million for energy-efficient air conditioners. That tells the whole story. This is a government that is about mega nuclear and mega natural gas plants. The only interest they have in energy efficiency and conservation is to hold these empty press conferences. This is an energy efficiency strategy by the Pembina Institute. What we heard today from the Minister of Energy was a sad, sad, oh, so sad imitation.

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#### NORTHERN ONTARIO

**Mr. Howard Hampton (Kenora-Rainy River):** I want to talk to the Minister of Northern Development. I wonder if he knows what's happening across northern Ontario. There are a thousand manufacturing jobs killed by the McGuinty government in Thunder Bay. There is a state-of-the-art Bombardier plant in Thunder Bay to build rapid transit equipment, but is the Ottawa contract going to the Bombardier plant? No. The McGuinty government is going to send it to California or to Germany. Terrace Bay is literally shut down as a result of McGuinty government electricity rates; Red Rock, literally shut down; the mill in Kenora, shut down; the mill in Dryden, which was one of the most modern paper mills in North America and has had over \$1 billion of new investment in the last eight years, virtually shut down by the McGuinty government.

Minister, doctors are leaving northern Ontario; they're leaving those communities. Do you know why? Because they see the community leaving. Do you know what's really embarrassing about this? Most of those paper mills are within 10 or 20 kilometres of a hydro dam that provides electricity at two cents a kilowatt hour. Yet the McGuinty government policy says that those paper mills have to pay 8 cents a kilowatt hour for electricity that's produced down the road at two cents a kilowatt hour.

You have the audacity to stand here and try to tell people that something wonderful is happening in the economy in northern Ontario. You should read the AMPCO report. The AMPCO report is very clear: The McGuinty policy of driving hydro rates through the roof is going to eliminate paper mill after paper mill in northern Ontario. After that, it's going to eliminate the mineral sector, the mining sector and the refining sector. Why? Because they can't afford to pay eight cents a kilowatt hour for their electricity. They will move to Quebec, they will move to Manitoba, they will move to British Columbia. They'll even move to the United States.

That's what the McGuinty government is doing to the northern Ontario economy. You are killing it every day as you kill thousands of jobs.

#### ONTARIO FILM AND TELEVISION INDUSTRY

**Mr. Rosario Marchese (Trinity-Spadina):** I want to congratulate all of the cultural workers in the film in-

dustry for having led a successful and aggressive campaign to persuade the government that a strong and sustainable film and television industry is a major contributor to Ontario's economy and quality of life.

I want to remind this minister about another promise the Liberals made:

"Within the first two years of our mandate, this council will produce a report on the status of the artist in Ontario in the 21st century. This report will be used to develop status of the artist legislation for our artists in Ontario, following the successful lead of both Quebec and Saskatchewan."

I want to say to the minister that we're close to the third year and we're still waiting.

## ORAL QUESTIONS

### HEALTH CARE

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Acting Premier. Your minister said that the information on the website was reliable and up to date. We hear today from the member for Perth-Middlesex that it is not. Who are people in the province of Ontario to believe? Who are they to trust: your member or your minister?

The one thing they do know is that they can't trust your government to keep its promises. You have not been able to reduce your wait times. Can you explain to the people in Mississauga-Halton why they're paying more and getting less in Dalton McGuinty's Ontario? Can you explain why the wait times for cancer surgeries have risen by 28% since July, from 75 to 96 days at Credit Valley Hospital?

**Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet):** To the Minister of Health.

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I want to compliment the member from Perth-Middlesex—

*Interjections.*

**Hon. Mr. Smitherman:** Oh, they're off to a good start when John Tory's not around. He's probably out trying to stake out a campaign office in my riding to run against me.

The reality is that the honourable member from Perth-Middlesex has taken an initiative, one which I think anyone should be encouraged to take. He called his local hospital because yesterday noise was made about wait times, and the local hospital provided him with information, which they've also supplied to the ministry, which will be coming online, because we're updating the information every couple of months. We believe it's appropriate that, as a government, we've invested in the development of a system that actually gives information to patients, because we inherited a circumstance where that wasn't possible.

The results are quite impressive. On cataract surgery, the six-month trend shows almost a consistent double-digit decrease: 21 days; hip replacement, province-wide double-digit decrease: 23 days; knee replacement, provincial double-digit decrease: 25 days. Of course, across the breadth of Ontario, we have more work to do—

**The Speaker (Hon. Michael A. Brown):** Supplementary?

**Mrs. Witmer:** I ask the minister, who are we to trust? The reality is you have put ads in newspapers. The newspapers tell people to go to your website in order to determine the wait times. We now learned today from your member that the website is not reliable. It is not up to date. So why are you spending thousands of taxpayer dollars?

I ask you today, why have cancer surgery wait times at Toronto East General Hospital jumped 35%, from 51 to 69 days?

**Hon. Mr. Smitherman:** I think the people of the province of Ontario should believe data. They should believe reliable data. The reality is that that party, which is now capable of a bit of noise, on this subject was not capable of a bit of action. We inherited a circumstance where, as an example, the Ontario health care system did not have the capacity to measure how many cancer surgeries it provided. So we put this information on a database, on a website. Every two months, it's updated, and there will be a subsequent update coming.

One of the points that I made yesterday that the honourable member didn't like to hear was that we're putting a lot of heat on our hospitals to address those people who have been waiting the longest. Accordingly, because our system measures the waits of those who have just had their surgeries completed, sometimes the data is going to bounce around and, in a certain sense, maybe I can't make the honourable member understand it, but it's good news that we're reaching out to those who have had the longest waits. Appreciable distinctions and limitations, lower times for waiting—

**The Speaker:** Thank you. Final supplementary?

**Mrs. Witmer:** The reality is, the website is not reliable; the website is not up to date. People in this province are being asked through ads to refer to the website, but it's not a reliable site of information.

You have broken your promise to reduce wait times, and you haven't responded to any of the questions that we have asked today. I ask you one more time: Explain to the people in the city of Toronto why wait times for cancer surgeries have gone up at Mount Sinai Hospital by 8%, from 144 to 155 days, according to your website, and at the University Health Network by 13%, from 69 to 78 days. That's what it says on your website. Can we believe it or not?

**Hon. Mr. Smitherman:** It seems like the honourable member has been spending a little too much time beside her seatmate, who has a bit of propensity to suck and blow. This is what we're into a little bit in this circumstance. The member starts with the assertion that the



information is not reliable, and then she quotes it. So I think this is a bit of a challenge.

As I explained to the honourable member, and as I'm happy to say to constituents of mine who are relying on some of the hospitals that were mentioned, we have asked our hospitals in Ontario to focus their resources especially on those who are waiting the longest. I believe this is appropriate. Because the wait time system that we have measures those patients who have just had their surgeries completed, I think that it's, in a certain sense, very good news that we're getting to those who have had to wait longer. All of the trend lines across the breadth of these are down, as I indicated: on knee replacement, on hip replacement, on cataracts. Our cancer radiation rates are down by 16%.

I want to say that the honourable member's comments diminish the work that's being done on the front line by hospitals, by CEOs and especially by front-line providers like doctors and—

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**The Speaker:** Thank you. New question.

**Mr. Tim Hudak (Erie—Lincoln):** A question to the Deputy Premier: As you know, cancer is likely Ontario's most deadly disease. Every member here in the assembly has probably, sadly, lost a member of their family or a close friend to cancer. Dalton McGuinty, during the election campaign, promised to reduce cancer wait times. When we look at your own government website we see, for example, that patients in Glanbrook, Grimsby, Stoney Creek—throughout Hamilton—that try to access cancer surgery at St. Joseph's Hospital have now seen an increase of 35% in their wait times, from 54 days to 73 days. How is it possible that Dalton McGuinty made a solemn promise to cancer patients and now breaks that promise?

**Hon. Mr. Duncan:** To the Minister of Health.

**Hon. Mr. Smitherman:** I think it's easy for the honourable member today to stand in his place and ask questions about cancer surgeries, because for the first time in Ontario there's actually information which is available to the people of the province. Across the breadth of that data collection, you can cherry-pick some numbers. The reality is that 92% of all cancer surgeries are being completed in accordance with our guidelines—that is, with the pan-Canadian benchmarks which we signed on to—and health care providers—our nurses and our doctors—on the front lines of health care are involved in a mission which I think is not appropriately run down by the honourable member.

We inherited from him, and from his time in office, a system in Ontario that could not even measure the number of cancer surgeries that were being provided, much less how quickly they were being provided. I remind the honourable member one more time what I've said a couple of times now: Our system measures those who are leaving the system, who have had their surgeries completed. If these numbers are higher, it's exactly because we've instructed the hospitals in the province to—

**The Speaker:** Thank you. Supplementary.

**Mr. Hudak:** If the minister were to look at his own website, were to look across the board in the Hamilton-Niagara area, he would see that for cancer surgery wait times are up across the board. I mentioned St. Joseph's Healthcare—up some 35%. Hamilton Health Sciences is up some 38%, from 48 days to 64 days. I ask the minister, when we see all the hospitals across Hamilton-Niagara increasing wait times for cancer surgery, does this mean that you simply have dropped Hamilton-Niagara patients off the radar screen, or is it a mess right across the province of Ontario?

**Hon. Mr. Smitherman:** What it means, and apparently it's a bit of a struggle for the front bench over there, is that we have created in Ontario so far the capacity to measure the surgical wait time for those people who have had their surgery completed and who have exited the health care system. That these numbers are higher is a reflection on the fact that until now the health care system in Ontario has not been aligned in a fashion that it could respond to those individuals who were waiting the longest. Accordingly, I do say to the honourable member that I look forward to the opportunity to discuss with him after subsequent updates of the data. When he sees that the backlog of addressing those that have waited the longest has cleared, we will see significant movement.

These numbers can change for a variety of reasons. Due to scheduling in a hospital, the Christmas season impacted some numbers. The reality is that we have a system in Ontario that measures results in a way that, when we inherited from that government, they couldn't tell us how many cancer surgeries were performed.

**Mr. Hudak:** I would say to the minister, with all due respect, in the third year of his mandate these kind of answers are cold comfort to a senior citizen suffering from cancer in Glanbrook. They're cold comfort to a single mother in Port Colborne waiting for increasing lengths of time for her cancer surgery. I'll point out to you again that, for example, the Niagara Health System has seen an increase in their cancer wait times, under the McGuinty government's measurements, of 13%. Minister, these are your own numbers. What's most upsetting is that Dalton McGuinty looked into the camera and he made campaign promises to families who have members suffering from cancer. Now, some three years later, we're seeing an increase in these waiting times. Dalton McGuinty clearly made a promise he had no intention of keeping. What are you going to do to reduce these wait times? Please tell me that Hamilton and Niagara have not dropped off your radar screen.

**Hon. Mr. Smitherman:** The honourable member asked the question starting, "With all due respect," and I say to you with all due respect, you're part of a party whose leader looked into the cameras and told Ontarians, "It is not our plan to close hospitals." Instead, we all know what your cruel record has been with respect to hospital closures.

The honourable member wants to talk about Niagara. I'll talk about a government that's delivering to Niagara,



alongside the Minister of Public Infrastructure Renewal, a new hospital and a new regional cancer centre. I'll talk about a province that responded to the circumstances of Niagara wanting to control its land ambulance by providing them with \$30 million over five years to be able to do just that. I'll talk about a government that's moving forward with the development of community health centres, family health teams and palliative care capacity that this province has never seen. These are the record of our commitment to the people of Hamilton and Niagara.

One more point: I urge the honourable member to stand in his place every two months, after every update of these numbers, so that we can carry—

**The Speaker:** Thank you.

*Interjection.*

**The Speaker:** Be seated, Minister. Sit down. Thank you.

### CHILD PROTECTION

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Minister of Children and Youth Services. Yesterday the Catholic Children's Aid Society admitted that it failed Jeffrey Baldwin, the five-year-old boy who died of abuse after that CAS placed him in the care of his grandparents who were convicted child abusers. The executive director of the Catholic Children's Aid Society said, "This tragedy has presented us with a very powerful lesson of what can go wrong. It was the worst outcome that can happen if you don't have the safeguards in place," and she called it "a collective blind spot for child welfare agencies and the courts."

Minister, in Ontario, we have someone whose job it is too investigate the failure of government services and to improve government services for everyone. That's the Ombudsman's office. My question is this: Why is the McGuinty government trying to muzzle the Ombudsman's office? Why are you stopping him from having investigative oversight of what happens at children's aid societies?

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** The member asked this question yesterday, so let me repeat my response. First of all, this case is still in fact before the courts. As a former Attorney General, he should understand that it would be entirely inappropriate for a minister of this government to comment on that case, but I can tell you that I am very pleased the coroner has moved immediately to start an inquest into this tragedy. I think it's really important that we recognize this case to be a tragedy, not an opportunity.

**Mr. Hampton:** Minister, this is about all the other children out there who need protection. That's what the Ombudsman is asking for. He's saying that in virtually every other province in this country, the provincial Ombudsman has independent investigative authority to look at the activities and failures of children's aid societies, and that is the question. Ontario children deserve protection. The Ombudsman is pointing out that under the McGuinty government, Ontario children are actually

falling behind. They're not getting the same level of protection as children in other provinces.

Minister, I'm not asking you to comment on the instant case. This is about whether or not Ontario's Ombudsman is going to have the independent investigative oversight authority of children's aid societies in this province. I ask you again, yes or no?

**Hon. Mrs. Chambers:** The Ombudsman in this province is in fact going to have jurisdiction beyond what he has had before as result of a bill introduced by our government, Bill 210, which was approved by this Legislature last month. As a result of some of the objectives of that bill, there will be greater accountability on the part of children's aid societies. There will be a smoother, stronger and more objective complaint mechanism and an independent arm's-length body, the Child and Family Services Review Board, to review, and the Ombudsman has jurisdiction over that Child and Family Services Review Board. All of that is going to be put in place as a result of what our government is doing to provide protection to vulnerable children in this province. 1440

**Mr. Hampton:** Minister, you know that the Ombudsman says that what you've set up doesn't have investigative power, that it doesn't really provide independent oversight, that it won't protect our children. Here's the record of Ontario's Ombudsman: A year ago, he called the Ministry of Children and Youth Services the ministry of "I don't know" after countless families were forced to give up custody of their special-needs children to children's aid societies in order to get services. He said your ministry was rife with "acute government maladministration" and was "wilfully blind" to severely disabled children in crisis.

Minister, is that what the McGuinty government is afraid of? Are you afraid that if the Ombudsman receives the authority for independent investigative oversight of CASs, he'll point out that children's aid societies in this province are underfunded, underresourced and overworked, and children are being left at risk? Is that what the McGuinty government is really afraid of?

**Hon. Mrs. Chambers:** Our government has every confidence in the coroner. In fact, the coroner wrote to me in January 2006 and said,

"I do not agree with Mr. Marin that there is absolutely no oversight from any organization over children's aid societies...."

"You will note I am making no comment about reviews of children's aid societies where a death does not occur, because that is not within our mandate. The main purpose of my letter is to ensure you that there is a proper process already in existence.... I am presently involved in meetings with officials from the Ministry of Children and Youth Services, the Ontario Association of Children's Aid Societies and several individual children's aid societies to discuss ways that our death investigation process can be further enhanced. I am encouraged by the progress of these discussions."

That's from Ontario's chief coroner.



## ENERGY CONSERVATION

**Mr. Howard Hampton (Kenora–Rainy River):** My question is to the Minister of Energy. I'd just point out to the Minister of Children and Youth Services that coroners' inquests happen after children die.

Can the Minister of Energy please explain how it is that the McGuinty government has \$40 billion for mega nuclear plants, but you could only find \$15 million today for energy efficiency and conservation?

**Hon. Donna H. Cansfield (Minister of Energy):** I thank the member for the question. I would like to correct something, though, that was said earlier by the member for Renfrew–Nipissing–Pembroke. In fact, you do not have to be an HRAC member. You have to be a registered contractor. I think that's a really important point to get out.

In terms of what the member has indicated, obviously the member wasn't listening, because I said it's \$1.5 billion worth of conservation initiatives across the province. This is only the beginning. Of course, this is for the residential, the in-house air conditioning, but in addition to this, Cool Shops has another program that actually deals with the window air conditioners on top of this. So there's no question we are moving forward and we have invested a significant amount in energy—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary.

**Mr. Hampton:** The record speaks for itself. We know the McGuinty government is sitting on top of their \$40-billion nuclear announcement, yet today all they have to announce for energy efficiency is a slender \$15 million.

Minister, this is a report by the Pembina Institute. It shows how in a few short years you could reduce electricity consumption by 4,500 megawatts. That's the equivalent of another Darlington nuclear station. They actually draw you a map on the practical things that you could implement and the kinds of things that would result in real energy efficiency and real reduction in energy consumption.

My question again: How is it that the McGuinty government has \$40 billion for costly, unreliable and environmentally risky nuclear power, but you can only find \$15 million today for energy efficiency?

**Hon. Mrs. Cansfield:** I will reiterate, it's \$1.5 billion. We'll get this right yet. They haven't quite been able to figure it out.

I'm absolutely delighted to hear that the member of the third party has become a convert to conservation, because he cut virtually every program in this province. So we have put it back in. You got rid of it, we put it back in, and we're going to make a difference by keeping the lights on for the people of Ontario and by providing them with the tools that they need in order to manage and conserve their energy costs and their energy needs as we move forward.

There is no question that we have lots to do. It's an exciting opportunity, as we move forward, working with people like the heating and air-conditioning folks, who

over the last few months helped us put in place a remarkable program, along with the Toronto Atmospheric Fund, along with some of the suggestions out of the Pembina, along with the Clean Air Alliance. It is fantastic, the things that we are going to do as we move forward to make a difference for the people of Ontario by changing—

**The Speaker:** Thank you. Final supplementary.

**Mr. Hampton:** Minister, I want to read you a quote. This was in 1992: "Ontario cannot afford these energy efficiency programs." Do you know who that was? It was the Liberal energy critic of the day, one Dalton McGuinty. And do you know what? It looks as if under the McGuinty government, once again, the McGuinty government doesn't believe that Ontario can afford energy efficiency programs.

You've had three years now, and we still don't see an energy efficiency strategy. You have raised hydro rates twice. You've killed 100,000 good manufacturing and forestry jobs. And you've got virtually every stakeholder out there who's concerned about energy saying, "You're on the wrong track."

My question today, once again, is, you can find only \$15 million for energy efficiency today, yet we know you've got \$40 billion for unreliable, expensive and environmentally risky nuclear power—

**The Speaker:** The question has been asked. Minister?

**Hon. Mrs. Cansfield:** That gentleman from Kenora–Rainy River can huff and puff all he likes, but we are moving forward on conservation in this province. It doesn't make a hill of beans what he thinks over there, because we are actually going to make a difference: \$1.5 billion—\$15 million today, \$10 million the other day; 100 megawatts, 300 just for Toronto alone. We are making a difference.

Maybe that's the part he really doesn't like: We actually are making a difference, when in fact that previous government made no difference, because they cancelled everything—the Beck tunnel, Conawapa, conservation—and in fact did more damage. We wouldn't be in half the pickle we're in if they had done their job in the first place.

## HEALTH CARE

**Mr. Cameron Jackson (Burlington):** My question is for the Minister of Health. A lot has been said about the two types of wait-time lists that we have in our province, the one that has been captured by your strategy, but I know that all members of this House have examples of families and individuals who are caught outside of the protection of the wait-time strategy.

Three of my constituents—Shawn Milne has been waiting for almost two years for important spine surgery. It's been cancelled. In fact, last week he was prepped, gowned, Ived and in the operating room, and it was cancelled for the third time. Scott Carmody has been waiting over a year—he's been told he's got 20 more months to wait—and Carolyn Wilkins has been waiting



15 months for her spinal surgery. Each of these has left their jobs, each of them is having their benefits package run out and each one is on a daily regimen of painkillers.

Minister, what comfort can you give to those thousands of patients who are on growing waiting lists that are not part your current strategy?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** First off, I'd like to offer to the honourable member the view that with respect to the first case he raised, I think this is a matter that should be very directly pursued with the hospital. I think that over a period of time in the health care system in Ontario, this late-in-the-day cancellation of surgery has become too much the norm. One of the things we have done, which seems small in the grand scheme of things but which has been impactful, is that we surveyed hospitals and said, "How many of you are starting your surgical day on time?" Astonishingly, 29% of them indicated that they didn't always do it. There are lessons that we learn from the wait-times work that are applied more broadly across the piece.

1450

Secondly, with respect to orthopaedic surgery, we have a real challenge in the small number of surgeons that we have. I won't get into the issue of doctor training at this point because I've covered that ground before. We're working very hard to put resources in the health care system that can effectively deliver additional volumes of these sorts of surgeries. I'd be very happy to work on an individual basis, through my staff, with the honourable member to see what assistance might be available for those patients. But we strive, of course, to reduce wait times everywhere.

**Mr. Jackson:** In the first case that I shared with the minister, the head trauma case came in the front door, and that's why they scrubbed this operation. The fact of the matter is, our hospital budgets are so tightly knit that hospitals lack the flexibility to perform these services in a timely manner. So when you say you would like to offer some assistance, I can tell you that this is a feature which is becoming more prevalent in hospitals located in the GTA-905 area, partially because we have no funding formula that acknowledges high growth. My own hospital, Joseph Brant hospital, received a scant \$100,000 to recognize their entire year's efficiency and their entire year's growth on a \$120-million budget. Frankly, we have 10 operating rooms in our hospital, and only five were operational last year.

Minister, as little as \$1 million would open our sixth or seventh operating room in Joe Brant. So I ask you, are you willing to look seriously—

**The Speaker:** The question has been asked.

**Hon. Mr. Smitherman:** There were many questions in the honourable member's minute. On the issue of growth in particular, I think there are areas of our province—there's growth occurring in a lot of places, including here in downtown Toronto. But in many areas of the 905 and other areas of the province, obviously that has been more exaggerated. This is an issue at the moment on

which my deputy minister is in discussion with members of the hospital community in the 905 area.

But I do think the honourable member really needs to fess up on two points. First is to acknowledge that some of the challenges we have are not about money at all but about critical shortcomings with respect to health human resources. This is something that bears the stamp of his government. Second is the overall fiscal mandate of hospitals. We've increased their funding this year by about \$600 million. The honourable member is part of a party that promises a \$2.6-billion cut to health care. Accordingly, I'm not really sure what foundation he has for a question of that nature.

## TOWING INDUSTRY

**Mr. Peter Kormos (Niagara Centre):** To the Acting Premier: Today's newspapers paint a picture of a tow truck industry that has been infiltrated by outlaw biker gang members and organized criminals. What's the McGuinty government prepared to do to regulate this industry to protect the public?

**Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet):** To the Attorney General.

**Hon. Michael Bryant (Attorney General):** I think that certainly the criminal justice system has an extremely important role to play. I never thought of it in terms of regulating the industry, but certainly they have an important role to play to ensure that organized crime has absolutely no place in the province of Ontario. That's why we expanded the guns and gangs task force. That's why we have put expert crown attorneys working together with the joint task force to fight biker gangs. That's why we did as much by having expert prosecutors join up with the task force to fight organized crime.

All that expansion was even before the \$51-million expansion of our crime-fighting capacity announced by the Premier in January. This will mean that police officers, prosecutors and, in addition to that, technology will be made available so that we can become even more organized in our justice system than organized crime itself.

**Mr. Kormos:** Please, sir, I'm talking about the shocking revelations of organized crime, criminals, outlaw biker gang members infiltrating the tow truck industry. The status quo as it is right now in Toronto, for instance, is that a person convicted of a sexual assault, a person convicted of trafficking drugs or a person convicted of trafficking firearms could apply for and receive a tow truck licence. There's nothing that stops members of organized criminal groups from operating a tow truck. We say that that's not acceptable. What are you and your government going to do about it?

**Hon. Mr. Bryant:** Again, I know the member doesn't want to suggest for a moment that we ought not to have total confidence in our police services across this province, and in particular in the province-wide anti-biker gang unit and anti-organized crime unit headed up by the OPP.



Last year, we provided specific prosecutors in order to permit the police, to assist the police, like never before, in cracking down on all organized crime activity. In addition to that, this government is using the civil forfeiture legislation that is in place to seize the proceeds of unlawful activities. This has meant that we are able to forfeit a crack house operation that was operating in Hamilton. This has meant that we've been able to seize through the civil courts and provide to victims of crime more than \$2 million in assets and \$10 million in total before the courts right now. I can assure the member that I have perfect and total confidence that our police service and organized crime service is—

**The Speaker (Hon. Michael A. Brown):** Thank you.

### PHARMACISTS

**Mr. Phil McNeely (Ottawa—Orléans):** My question is to the Minister of Health and Long-Term Care. The Ontario Pharmacists' Association has said that patients would benefit greatly from an enhanced role for pharmacists in our health care system. Minister, do you agree with that assessment?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I think one of the things that many members have had the privilege of commenting on over a period of time is the acknowledgement that pharmacists are important front-line health care providers. We've seen them over time orienting themselves much more toward their capacity to assist patients, not just in an across-the-counter way, but also with some of the consultation rooms that have been built. We see an increasing number of our citizens, as they age, of course relying on, taking advantage of, benefiting from pharmaceutical product, and accordingly it's crucial that we have someone who can help to assist and guide them in that.

We're very supportive of the idea that we do a better job of acknowledging the capacity of our pharmacists on the front lines of health care to be a broader part of the circle of care and to be more involved and engaged in helping our patients to achieve the very best results. So accordingly, we're very much in accordance with the views of the Ontario Pharmacists' Association.

**Mr. McNeely:** Would the Minister of Health and Long-Term Care be able to give us some specific examples of how pharmacists might be able to benefit patients while also saving the government money?

**Hon. Mr. Smitherman:** I think that for many observers of health care, they would see the opportunities and challenges related to chronic disease management as one we should focus on. We know that many people in our communities who struggle with challenges like diabetes and asthma would also benefit from a circle of care, including doctors and pharmacists who can assist them in managing their circumstances better.

Accordingly, we're very much interested in the idea that we move well beyond the idea of silos to circles of care that can assist our patients with appropriate guidance in the use of medications. This has tremendous benefits

for the patients and is also very helpful for the health care system in terms of utilization of things like emergency rooms. It's our goal to do the best we can to support those patients with challenges, and accordingly, medication management and the important role that pharmacists can play in assisting people is one of the most crucial opportunities we have before us in health care today.

### AUTOMOTIVE INDUSTRY

**Mr. Jerry J. Ouellette (Oshawa):** My question is for the Acting Premier. I would hope you're well aware of what's taking place in the auto sector. We're seeing renegotiations take place. We're seeing a sell-off of GMAC, which certainly adds a question to what's taking place in the auto sector. Can you explain why your government removed the tax-free exemption for ethanol? Oshawa produces the E85 Impala, which, for those who don't understand, runs on 85% ethanol—hence the name E85—which is over 60% less polluting than any electric hybrid that is now produced in the world; not only that, but the fuel companies that use ethanol as an oxidizing agent, as opposed to, say, MTBE, which seriously pollutes the environment, are being unfairly punished, let alone the impact on water quality. Acting Premier, effectively what you've done is hurt Ontario's auto manufacturers for selling, in Ontario, a world-leading, environmentally friendly vehicle. Why have you done this?

**Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet):** First of all, let me address the automotive industry in Ontario. This government has invested \$1.4 billion and leveraged \$6 billion in new investment in the automotive sector. Since we took office, the automotive sector in Ontario has surpassed Michigan to become the largest in North America, and Ward's Auto predicts it will continue to grow and continue to remain number one because of our productive workforce and because of this government's investments.

**1500**

I'll remind the member opposite that his party refused assistance to the automotive industry at a time when every jurisdiction in the United States was doing it. When we came to office, we redressed that. That's why there's new investment in Windsor. That's why there's new investment in Oakville. That's why there's new investment in Bramalea. That's why there's new investment in Oshawa. That's why Ontario's number one and that's why tens of thousands of Ontarians can rely on a healthy, profitable automotive industry in the years to come.

**Mr. Ouellette:** The auto sector stands up and says what you've done with the hybrid electrics was a slap in the face. What's taking place now is that you've increased and doubled the tax exemption for hybrid electrics. Minister, there are no hybrid electrics produced in the province of Ontario—not until 2009. Why would you do that? You refused to answer the question on ethanol.



What you've done is slapped the automotive industry in the face and said it's that not producing equality when it's producing a world leader with the E85, which is far more environmentally friendly than any other hybrid electric currently being produced. Why would you enact two policies now that work against the auto sector?

**Hon. Mr. Duncan:** (1) I'll just remind the member that his party proposed the same thing in legislation and passed it.

(2) The automotive industry in fact asked for it. The Ford Motor Co., Oakville, wanted it. You had it in your last budget, my friend. You ought to check that. You voted for it.

(3) Where's the ethanol money? In agreement with the entire ethanol community, including farms and everyone else, it's going into the ethanol strategy fund, which is funding the building of new ethanol plants to help our rural communities and to get cars on to ethanol.

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Stop the clock. I need the member for Simcoe North to withdraw that last remark.

**Mr. Garfield Dunlop (Simcoe North):** I withdraw that, Mr. Speaker.

**The Speaker:** Thank you. Minister.

**Hon. Mr. Duncan:** Sarnia, Windsor, eastern Ontario—this province has an ethanol strategy. The industry agreed that we should use that tax money to invest in the ethanol strategy.

It's a shame you oppose the farming community. It's a shame you won't stand up for your constituents. It's a shame you don't talk to the auto industry, because they were pleased. You know what? I met with the Ford Motor Co., who are going to be producing a hybrid in Oakville. We're pleased to encourage them, and we're pleased to assist the farm community, which Mr. Dunlop consistently stands up against and opposes. You should be ashamed—

**The Speaker:** Thank you.

*Interjections.*

**The Speaker:** Order, Minister of Finance.  
New question.

## COLORECTAL CANCER

**Ms. Shelley Martel (Nickel Belt):** I have a question to the Minister of Health. This morning, the Canadian Cancer Society released a special report on cancer rates which showed that colorectal cancer deaths could be reduced by 17% if 70% of Canadians between the ages of 50 and 74 were screened every two years. Colorectal cancer is now the second leading cause of cancer in Ontario; 3,000 Ontarians died from it last year, even though the cancer is 90% treatable if detected early through screening. Minister, in the last election your party promised a screening program for colorectal cancer. When will you deliver on that?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I've had the privilege of speaking on

this subject and participating quite recently with Dr. Terry Sullivan from Cancer Care Ontario.

We do agree as a government that a colorectal cancer screening program is an important priority. It's a very good opportunity, frankly, to provide the support that people need to be able to save lives. It's as obvious as that. Accordingly, we're in the midst of finalizing our analysis of a pilot program that Cancer Care Ontario ran for us. I can confirm for the honourable member, although I don't have a date at present, that we will be moving forward with this program and that Ontario plans to stay at the forefront on this file. It's important to note for all members listening in that this is an opportunity that no other province has had the chance so far to be seized of, but Ontario's planning to be a leader in this area. I look forward to having a chance to share more details with the honourable member soon.

**Ms. Martel:** The Canadian Cancer Society said today, "It's crucial for the Ontario government to implement a provincial colorectal screening program immediately." Peter Goodhand, the CEO for the Ontario division of the Canadian Cancer Society, said, "The sooner the government gets moving on this, the more lives will be saved."

We know that Cancer Care Ontario made a recommendation to the ministry for a provincially based, province-wide screening program for colorectal cancer. My question again today is the same as it was two weeks ago: When can we expect this government to live up to its promise?

**Hon. Mr. Smitherman:** The honourable member would know that before you can move forward with a program, it's very important to actually have developed it. Accordingly, it's appropriate that the policy work, which is ongoing at the moment, be completed well. I'm very interested in moving this program forward, but I'm also very interested in making sure that we have an appropriate plan developed that will guide it. This is of course necessary, as the investment of dollars must be done in a fashion which works well for our accountabilities to taxpayers.

We're treating this as a priority. I can confirm one more time for the honourable member that, as relates to colorectal screening, Ontario plans to be a leading jurisdiction in the land, and I accordingly look forward to the opportunity to participate with her in announcements soon.

## JUNIOR HOCKEY

### HOCKEY JUNIOR

**Mr. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** My question is for the Minister of Health Promotion. Minister, as we all know, Canada was selected as the host for the 2009 World Junior Hockey Championship. It is a chance for Canadians to cheer our best hockey players as they take on the world.

Two Ontario cities submitted their bids to host the games. I strongly believe that the city of Ottawa is the



best candidate. Our national capital region is a unique area in which you'll find a community rich with love of sports and culture. It showcases the best of English and French heritage, culture and day-to-day living. As such, Ottawa serves as a model for many other Canadian cities.

Ce serait un grand honneur pour la région de la capitale nationale que d'être l'hôte de ce prestigieux tournoi. Comment notre gouvernement supporte-t-il ces candidatures?

**L'hon. Jim Watson (ministre de la Promotion de la santé):** Je suis très fier que l'Ontario a deux villes qui ont posé leur candidature pour le tournoi de 2009.

I'm very pleased that Ontario has two dynamic applicants for the World Junior Hockey Championship and that we're going to be able to cheer on Team Canada in 2009 in this country.

Both Ottawa and Toronto are bidding for the 2009 championships, and our government has given unprecedented support to both of those bids. In fact, Premier McGuinty has spoken directly with Hockey Canada, and this Easter weekend I will be travelling to Calgary to support both the Ottawa and the Toronto bids.

It might be of interest to the House to know that this particular tournament has great economic generation for the province. BC held the games last year, and it was an estimated \$41 million into the economy. More than that, it's an opportunity to showcase two great hockey cities in our province, and we're very proud of both applicants.

**The Speaker (Hon. Michael A. Brown):** Member for Scarborough Centre.

**Mr. Brad Duguid (Scarborough Centre):** It's great to know that our government is supporting the two bids equally next week in Calgary, but the member for Glengarry–Prescott–Russell and our hockey coach here in the Legislature have got it all wrong. As the world-renowned hotbed of hockey, Toronto is unquestionably the best candidate city to host the 2009 world juniors.

With the Toronto Maple Leafs' playoff hopes potentially fading away this evening, Ottawa fans may be breathing a sigh of relief. They may have a shot at the cup this time because they may not need to face the Leafs in the playoffs. But the people of Toronto also deserve some good news on the hockey front. Nothing would remove us from our hockey doldrums more than the confirmation from Calgary that Toronto will be hosting the 2009 world juniors.

Minister, Ontario is a great location for such international events. What are you doing to attract more of these world-class events to our province in the future?

**Hon. Mr. Watson:** I thank the honourable member for Scarborough Centre and I know his passion for the game of hockey. In fact, in this province there are over 360,000 minor league hockey players, coaches and officials. Any town or village in this great province can lay claim to the phrase "Hockeyville," because it's in our blood; we're passionate about it.

As a result of going through the bidding process and working with both Toronto and Ottawa, we realized that this province needs a sport-hosting policy, because we

need to bring greater coordination in our efforts; we want to make sure that those cities and towns that are bidding on various sporting activities have the resources at hand both from their local municipality and also from the province of Ontario. The sport hosting policy has been adopted by this government.

I also want to wish the very best to both Toronto and Ottawa. We look forward to the results from Hockey Canada as they announce it on May 15. We would very much welcome the 2009 junior championships right here in Ontario.

1510

## ENERGY RATES

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** We all know that Barry's Bay is Hockeyville.

Anyway, my question is for the Minister of Energy. Minister, despite the promise that your party made to freeze electricity rates at 4.3 cents, we've seen them rise almost 35% under your watch. Yesterday, Adam White from AMPCO gave a very good presentation of what is going to happen to electricity rates under your electricity plan. Because of your irresponsible and, quite frankly, foolish promise to shut down 6,500 megawatts—enough to power two million homes in this province—you people have put us into a crisis. When we put these two things together, Minister, we are going to see huge price increases in this province, increased imports for this province, because of your plan. When are you simply going to admit that you were wrong? It is time to revisit it. We can burn clean in this province—much cleaner than the Germans are doing, the Danes are doing. It is time to revisit your plan and admit to Ontarians that you have been wrong. You have tried to fool them, and this is going to lead to exorbitant prices in this province.

**Hon. Donna H. Cansfield (Minister of Energy):** I thank the member for his question. I did receive the information. I'm in the process of reading the report. As you have already heard in the newspaper, there certainly is quite a difference of opinion between the Ontario Power Authority and what the report already indicates from AMPCO's study.

But really I find this very fascinating. This is a large industrial group that receives \$800 million in rebates. Let me repeat that: \$800 million in rebates. So actually what they really want is a competitive—

**Mr. Yakabuski:** Say it one more time, Donna; I didn't catch that.

**Hon. Mrs. Cansfield:** That's \$800 million. So what they really want is, they want energy prices frozen but they want a competitive market. I think that's inhaling and exhaling. So let's wait and see what this report says. That's going to take a—

**The Speaker (Hon. Michael A. Brown):** Thank you, Minister. Supplementary? The member for Halton.

**Mr. Ted Chudleigh (Halton):** My question regards the same study mentioned by the member for Renfrew–Nipissing–Pembroke. However, I'd like to direct my



question to the Minister of Economic Development and Trade or the Deputy Premier.

**The Speaker:** No, it's to the same minister.

**Mr. Chudleigh:** The same minister. It'll be the same answer anyway, so that doesn't matter, I suppose.

*Interjections.*

**The Speaker:** I can wait.

The member for Halton.

**Mr. Chudleigh:** To the Minister of Energy: It seems there's a tremendous conflict over there between your direction, Minister, with your policies in the energy field, where we're seeing thousands of jobs being destroyed in the steel industry, in the pulp and paper industry, in the chemical industry and in the manufacturing sector, as outlined in the study done by the Association of Major Power Consumers in Ontario. As many as 100,000 jobs and \$16 billion a year in real GDP could be in jeopardy if the Minister of Energy and the Minister of Economic Development and Trade can't get their policies and their plans correct for the people of Ontario. Minister, I want to ask you: Which minister is going to step up to bat at the cabinet table and try to save these core industries of Ontario that have become far too vulnerable on your government's watch?

**Hon. Mrs. Cansfield:** I thank the member for the question. Ontario's economy is strong. Last month alone, it created 31,200 net new jobs. In addition, that 11,000 megawatts of new supply over the next five years that we've brought into this province is \$11.5 billion worth of new investment in the electrical sector alone. That's over 90,000 person years of employment that will be created in this province. Just on the renewables alone, it's \$3 billion. The amount of money that's being put into this sector is certainly helping to create those jobs. There's no question that since coming into office, we have over 230,000 new net jobs. Obviously, the economy isn't in such dire straits as has been identified. We are doing well in this province. It's not without its challenges, but there's no question that investment is happening, and it's really encouraging to note that Alberta money is finally coming into—

**The Speaker:** Thank you. New question.

#### SOCIAL SERVICES

**Ms. Shelley Martel (Nickel Belt):** I have a question to the Minister of Community and Social Services. Sara Anderson of Sudbury is in the ninth day of a hunger strike to protest your government's broken promises to Ontario's poorest families. You promised to raise social assistance rates by 3% every year, and you've broken that promise. You promised to end the clawback of the family benefit, and you have broken that promise. At a time when your government had a \$3-billion windfall, why is it that you haven't kept your promise to families like Sara Anderson's?

**Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for franco-phone affairs):** I thank the member of the third party for

her question. Yes, I am very much aware of the media report, and the ministry staff is monitoring this situation very closely.

But let me tell the House what we have done for people in need in our community since we were elected. We are the first government for decades that has increased social service benefits by 5%, 2% in the first year we were elected and 2% again. Is it enough? No, it's not enough, but at least we're going in the right direction and we are helping those in need in our community.

**Ms. Martel:** Well, minister, I'm glad to know that you're aware of the situation. The issue is, what are you going to do about it? Sara Anderson used to receive \$75 a month as a supplementary diet benefit. This was cut under your government to \$20 a month. Her daughter qualifies for the national child benefit, but the \$200 a month she receives from the federal government is clawed back by your government. After her rent is paid, Sara and her daughter live on a little more than \$300 a month. I spoke with Sara today. She's very determined but she's very weak and I am very concerned about her health.

Minister, in the face of your government's \$3-billion windfall, why have you utterly failed this family, and what are you going to do now to help them?

**Hon. Mrs. Meilleur:** Again, I thank the member from the third party for her question and her concern about one of her constituents. It's very unfortunate, but I am telling the House what this government has done and what we will continue to do in the next budget. Let me tell the member what we have also done: We have stopped the clawback of the additional increase that parents used to receive for the national child benefit. What it represents is that it will give families an additional \$56 million in support this year and \$75 million in 2007 and 2008. Instead of working to continue to support—

**The Speaker (Hon. Michael A. Brown):** Thank you, Minister. Sit down, Minister. New question.

1520

#### PROCEEDS OF CRIME

**Mr. Michael Gravelle (Thunder Bay–Superior North):** My question is for the Attorney General. I think I can safely say that all members of this House are concerned about the possibility of people profiting from unlawful activities. Minister, can you inform this House as to whether there's anything that can be done, and particularly whether there is any legislation in place, that enables the courts to allow for the civil forfeiture of assets that are obtained through unlawful activity?

**Hon. Michael Bryant (Attorney General):** I thank the member for the question. Yes, indeed, there is in place legislation in this province that seeks to prevent people from keeping assets that are acquired through unlawful activity. Under the Remedies for Organized Crime and Other Unlawful Activities Act, a court is authorized to freeze, seize and forfeit property that has a connection to unlawful activity. This civil asset forfeiture



is not dependent on any criminal charges and is not dependent on any convictions. Rather, it focuses solely on the connection between the property and the unlawful activities. It is just part of a coordinated strategy to fight organized crime using both civil and criminal law remedies.

**Mr. Gravelle:** There's relevance to that in terms of my riding. Constituents in my riding of Thunder Bay-Superior North were pleased by your recent announcement that civil assets that were found during the search of a vehicle stopped by OPP police officers near Marathon were to be forfeited to the crown. Minister, could you please give this House details of this particular civil asset forfeiture, as well as other instances where this legislation has been used to seize assets that were obtained through unlawful activity?

**Hon. Mr. Bryant:** The member is right: On April 3, more than \$120,000 was forfeited to the crown under the civil remedies legislation after it was proven before a court that the money was the proceeds and an instrument of unlawful activity. That is good news for victims. That is good news for strong communities.

Since we took office, the act has been used over 100 times in Ontario. Since we took office, more than \$2.3 million in assets have been collected under the act. On March 28, the court ordered the forfeiture of a notorious crack house at 193 King Street East in Hamilton and a bank account containing approximately \$10,000. This is just some of the nearly \$10 million in assets before the courts that are being taken out of the hands of those engaging in unlawful activities and being put back into strong communities.

## CORRECTIONAL FACILITIES

**Mr. Garfield Dunlop (Simcoe North):** My question is for the Minister of Community Safety and Correctional Services. For the past 15 months, black and South Asian correctional workers in your Toronto institutions have faced threats and bullying from colleagues. How much longer are you going to tolerate racism within our correctional facilities?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** We have zero tolerance against any employee of the Ontario government, regardless of what ministry they are responsible to. Specifically about the case you're talking about, this is under investigation not only by the Toronto city police but by ministry officials. You should know that this is something that is not acceptable.

Having said that, this is also not the first time it has happened. It happened in 1998, 2000 and 2002. That was ongoing through the people appealing to the Human Rights Commission. The Human Rights Commission set up a tribunal. They have appointed two consultants who are working with the ministry to address this issue across the whole system.

I want to reiterate that it's unacceptable. It's something we are dealing with, but we cannot act until—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Mr. Dunlop:** Minister, I just want to point out that you are responsible for the correctional facilities in our province and what actually happens with the system and its employees. We have a problem that has been going on for 15 months, and it involves racial attacks against the highest-level black employee in our correction system, the deputy superintendent of administration, Mr. Dave Mitchell. I know Mr. Mitchell personally, and I know he's one of the most outstanding employees we have in the correctional system. I understand that your ministry is investigating the allegations. Can you answer me this: When did the investigation commence, when do you expect the investigation to be completed and are you prepared to recommend to the Attorney General that a public inquiry be called pending the outcome of your investigation?

**Hon. Mr. Kwinter:** I don't really want to comment on a specific case, because it is something that is under investigation. I can't tell you when it's going to be finished because I'm not conducting the investigation. It's being conducted by the Toronto Police Service and it's being conducted by ministry officials.

I can tell you that once we have the results of that investigation—and the member would realize that this is not the kind of activity where you can very easily determine who is doing it just by the very nature of it. People are doing it behind closed doors or in the dead of night. They're not identifying themselves and it's a very difficult case. I can't respond as to what we're going to do until we get that report from both my ministry officials and the police service, and then we will decide how we can address it.

## PETITIONS

### LONG-TERM CARE

**Mr. Jerry J. Ouellette (Oshawa):** "To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-



term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I affix my signature in support.

**Mr. Bill Mauro (Thunder Bay–Atikokan):** "To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

**Mr. John O'Toole (Durham):** It's a pleasure to present another group of petitions from Marnwood Lifecare Centre in Bowmanville. The administrator is Tracey Werheid. I'm pleased to read it on their behalf:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I think of my mother-in-law, Madge Hall, who is in need of special attention at the community nursing home in Millbrook.

## CHILD CARE

**Ms. Deborah Matthews (London North Centre):** "Whereas the people of Ontario expect the government of Canada to honour existing agreements with the government of Ontario;

"Whereas provinces and territories negotiated agreements with the federal government to ensure Canadians would have access to early learning and child care programs that are high quality, affordable, universally inclusive and developmental;

"Whereas parents in Ontario have demonstrated a high demand for greater access to high-quality early learning and child care programs;

"Whereas Ontario's early learning and child care agreement with the government of Canada would provide Ontario families with at least 25,000 new high-quality, regulated child care spaces in the first three years;

"Whereas Ontario's early learning and child care agreement represents a \$1.9-billion investment over five years in high-quality early learning and child care;

"We, the undersigned, petition the Legislative Assembly of Ontario to support the government of Ontario in calling on the government of Canada to honour Ontario's early learning and child care agreement, for the sake of the thousands of Ontario families who would benefit from it."

I'm giving this to Ben, a resident of London North Centre, to take to the table. Thank you, Ben.

1530

## LONG-TERM CARE

**Mr. Ted Chudleigh (Halton):** "Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need ... ; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I affix my signature to this, and I give it to page Raelene.

**Mr. John Wilkinson (Perth–Middlesex):** I have a petition in regard to Country Terrace Nursing Home in my riding:

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging



seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

#### AUTISM SERVICES

**Ms. Lisa MacLeod (Nepean–Carleton):** It's my pleasure today to bring to this—

*Applause.*

**Ms. MacLeod:** Thank you.

It's my pleasure to bring to the Legislature today a petition given to me by my NDP opponent in the March 30 by-election, Laurel Gibbons, a great autism advocate in this province.

"Whereas the incidence of autism spectrum disorders has dramatically increased in recent years and Ontario's schools lack the required resources to accommodate this growing number of pupils; and

"Whereas children with ASDs are capable of academic success when they have appropriate support; and

"Whereas under the Education Act of Ontario, children with ASDs are legally entitled to receive appropriate special education programs and services; and

"Whereas many ASD pupils are denied their education rights and are suffering academically, socially and emotionally because of a lack of resources available to assist them with their disability-related needs; and

"Whereas the resources required to accommodate ASD pupils may include (but are not limited to) educational assessments; educational assistants; specialized personnel such as behavioural therapists, speech and language pathologists, and occupational therapists; specialized programs and curriculum (including social skills and life skills); transitional programs; and assistive technology;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) Increase funding for special education, and ensure that this funding reaches ASD pupils to meet their disability-related learning needs;

"(2) Develop educational best practices and pilot projects for educating children with ASDs so that every

student with ASD across Ontario has access to the best possible programs and services."

I am very proud to sign my name to this petition.

#### COMMUNITY MEDIATION

**Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale):** This petition is to the Ontario Legislative Assembly.

"Whereas many types of civil disputes may be resolved through community mediation delivered by trained mediators, who are volunteers who work with the parties in the dispute; and

"Whereas Inter-Cultural Neighbourhood Social Services established the Peel Community Mediation Service in 1999 with support from the government of Ontario through the Trillium Foundation, the Rotary Club of Mississauga West and the United Way of Peel, and has proven the viability and success of community mediation; and

"Whereas the city of Mississauga and the town of Caledon have endorsed the Peel Community Mediation Service, and law enforcement bodies refer many cases to the Peel Community Mediation Service as an alternative to a court dispute; and

"Whereas court facilities and court time are both scarce and expensive, the cost of community mediation is very small and the extra expense incurred for lack of community mediation in Peel region would be much greater than the small annual cost of funding community mediation;

"Be it therefore resolved that the government of Ontario, through the Ministry of the Attorney General, support and fund the ongoing service delivery of the Peel Community Mediation Service through Inter-Cultural Neighbourhood Social Services."

I support this petition.

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mrs. Julia Munro (York North):** "To the Legislative Assembly of Ontario:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that

they require in order to live meaningful lives within their community.”

As I am in complete agreement, I have affixed my signature and will be giving it to Sharmarke to pass to the table.

#### CHILD CARE

**Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell):** “To the Legislative Assembly of Ontario:

“Whereas the people of Ontario expect the government of Canada to honour existing agreements with the government of Ontario;

“Whereas provinces and territories negotiated agreements with the federal government to ensure Canadians would have access to early learning and child care programs that are high quality, affordable, universally inclusive and developmental;

“Whereas parents in Ontario have demonstrated a high demand for greater access to high-quality early learning and child care programs;

“Whereas Ontario’s early learning and child care agreement with the government of Canada would provide Ontario families with at least 25,000 new high-quality, regulated child care spaces in the first three years;

“Whereas Ontario’s early learning and child care agreement represents a \$1.9-billion investment over five years in high-quality early learning and child care;

“We, the undersigned, petition the Legislative Assembly of Ontario to support the government of Ontario in calling on the government of Canada to honour Ontario’s early learning and child care agreement, for the sake of the thousands of Ontario families who would benefit from it.”

I have also added my signature.

#### ASSISTANCE TO FARMERS

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** This petition is titled “Replace CAIS.”

“To the Legislative Assembly of Ontario:

“Whereas Ontario Agriculture Minister Dombrowsky has said that ‘There are serious problems with the CAIS program’; and

“Whereas Canadian Agriculture Minister Strahl has said he remains committed to replacing CAIS; and

“Whereas Canadian agriculture ministers and their staff and bureaucrats have ‘been at the table’;

“We, the undersigned, demand CAIS be scrapped for a new program including a risk management program, self-directed risk insurance and farm disaster relief.”

On behalf of the farmers that have signed, I also have affixed my signature.

1540

#### LONG-TERM CARE

**Mr. Kevin Daniel Flynn (Oakville):** Recently, I was visited by some of the residents’ council members from

West Oak Village Long Term Care Centre in Oakville, who asked me to read a petition on their behalf that was collected primarily by a lady by the name of Marlee Heron, who I understand is about 61 years of age. The petition reads:

“To the Legislative Assembly of Ontario:

“Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

“Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

“Whereas those unacceptable care and service levels are now at risk of declining;

“We, the undersigned, who are members of family councils, residents’ councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007).”

#### ESTIMATES

**Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet):** Mr. Speaker, I have a message from the administrator for the government of Ontario, signed by his own hand.

**The Deputy Speaker (Mr. Bruce Crozier):** The administrator for the government of Ontario transmits estimates of certain sums required for the services of the province for the year ending March 31, 2007, and recommends them to the Legislative Assembly.

#### ORDERS OF THE DAY

##### EDUCATION STATUTE LAW

##### AMENDMENT ACT

##### (STUDENT PERFORMANCE), 2006

##### LOI DE 2006 MODIFIANT DES LOIS EN CE QUI CONCERNE L'ÉDUCATION (RENDEMENT DES ÉLÈVES)

Resuming the debate adjourned on April 5, 2006, on the motion for second reading of Bill 78, An Act to amend the Education Act, the Ontario College of Teachers Act, 1996 and certain other statutes relating to education / Projet de loi 78, Loi modifiant la Loi sur l'éducation, la Loi de 1996 sur l'Ordre des enseignantes et des enseignants de l'Ontario et certaines autres lois se rapportant à l'éducation.



**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? The leader of the third party.

**Mr. Howard Hampton (Kenora–Rainy River):** On behalf of New Democrats, I'm pleased to be able to participate in this debate.

I think it's become evident to many people across the province that while the McGuinty government talks a good line on education, increasingly boards of education are asking, "Where is the money?" For example, one of the Catholic boards has been ordered now by the McGuinty government to cut reading recovery programs for children who are having difficulty learning how to read—a \$2-million cut. The McGuinty government is going to force that same board to cut \$2.6 million, for example, from caretaking and cleaning. I remember when Dalton McGuinty used to go through the roof, complaining that the former Conservative government was going to cut funding from school cleanliness, school health and safety.

The same school board is being ordered by the McGuinty government to cut vice-principals. Anyone who has been involved in teaching or in our schools knows that vice-principals are the people who do all the work in terms of discipline, in terms of sorting out problems at home or at school—everything which lies within those parameters. In order to cut vice-principals, the same board has also been ordered to make a substantial cut in adult education. This from a Premier who likes to give speeches about how education is an ongoing thing and we need to continue to involve ourselves in education.

But that board is not alone. I have spoken to representatives from several other boards of education who have said, "The government talks a good line on education, but from our board's perspective, the money isn't there. We don't have enough money for teachers' salaries. We don't have enough money for special education and we don't have enough money for school transportation," and it has led to all kinds of absurd results. For example, the Toronto board of education has been taking money that is supposed to be directed at English as a second language and they're using that money, depriving children who need English-as-a-second-language instruction, just to pay the hydro bill, the natural gas bill and the heating bill. There are other examples like that. Money that should be going to special education in some boards has had to be used to pay the hydro bill or to pay the heating bill. That's the level of problems, of challenges, that boards of education are facing as a result of the McGuinty government's failure to live up to their promises.

I remember when Dalton McGuinty used to criticize, on an almost daily basis, the school funding formula that was put in place under the former Conservative government. Here we are now, three years into the McGuinty government. Has that inadequate school funding formula that was put in place by the former Conservative government been changed substantially by the McGuinty government? No. It is still fundamentally the same funding

formula now under the McGuinty government. That's the complaint that school boards have. The McGuinty government likes to give a lot of speeches about education, the McGuinty government likes to pronounce on education, but increasingly boards of education are not finding the commitment of funds or the commitment of resources.

This bill, Bill 78, continues that tradition of the McGuinty government. When I read this bill, I was embarrassed to read some of the contents of it. The reason I was embarrassed to read some of the contents of it was because it's so obviously just filler. When the government can't come up or won't come up with the money—and I think it's really a case of "won't come up with the money," because we know that in this past fiscal year the McGuinty government had a \$3-billion revenue windfall, and yet school boards are taking money out of the English-as-a-second-language budget or the special education budget and having to use it to pay the hydro bill or the heating bill. The McGuinty government clearly had the money, but it was a political decision by them not to fund education. This bill is evidence of when the government can't keep its promises yet it wants to say something, so it comes forward with a bill like this that is loaded with filler.

Let me give you an example of some of the filler that you find in this legislation. It amends the Education Act to give cabinet broad powers to make regulations prescribing, respecting and governing the duty of boards. Get this: There's a regulation to "promote the provincial interest in education," as if you need a regulation to promote the provincial interest in education.

There's a regulation that requires boards to adopt measures to improve student success, reach goals in special education, to improve student health and to improve student safety. How are boards supposed to improve special education when the McGuinty government is forcing them to take money out of the special education budget and use it just to heat the school or keep the lights on?

Another example: requiring boards to adopt measures to improve student success. I know the trustees in my part of the province, the trustees of the boards. They don't get paid any money. They take all kinds of abuse. They go out to meeting after meeting after meeting. They put in hour after hour. Is the McGuinty government suggesting that these trustees who are on the boards are not there to improve student success? Is the McGuinty government suggesting they're there for some other purpose?

1550

To improve student health: Is the McGuinty government suggesting that those hard-working trustees in my constituency and in constituencies across the province don't care about student health? I'll tell you something. When you don't have enough money in the budget to keep the heat on when it's 30 and 40 below, that's risking student health, and that's what the McGuinty government has been doing. When you don't have enough money in



rural boards to safely and adequately provide for student transportation, when you don't have enough money in the budget to cover student transportation—in my constituency, some students are transported, not 40 kilometres, not 50 kilometres, not 60 kilometres, but some students are being transported 90 and 100 kilometres one way to school—then that's putting students at risk, and that's the fault of the McGuinty government; their failure, as boards have pointed out, to adequately fund student transportation; their failure to adequately fund special education; their failure to adequately fund teachers' salaries, which the former Minister of Education played a big hand in negotiating and setting in the first place.

It's bizarre that the McGuinty government thinks that, by these regulations—they must assume that the trustees who work so hard can't be trusted to want to improve student success, to want to improve student health and to want to improve student safety.

There are other regulations—when you see them, you say to yourself, “My, my, this is sad”—to force boards to publish reports about any regulations made under the act. Teachers I talk to say they're drowning in paper already, having to fill out documents and forms that are being pushed from above. Now the McGuinty government believes they have to have a regulation to force boards to publish reports about any regulations made under this act.

There's a regulation to set specific outcomes for students with regard to literacy and numeracy. The issue isn't setting outcome levels. The issue is the McGuinty government forcing, for example, one board to cut \$2 million from the reading recovery program. How is a board supposed to reach the required literacy levels when it's the McGuinty government saying, “You take \$2 million out of reading recovery”? How is a board supposed to ensure you're going to meet these targets when boards are saying, “Look, we're already having to take money out of the so-called classroom budget just to pay the heating bill, just to pay the hydroelectricity bill”?

So some of this, when you put it in the context of what boards are struggling with, is already theatre of the absurd and quite obviously theatre of the absurd.

Worse than that, though, this is micromanaging. I remember when Dalton McGuinty used to stand right about there and rail about the Conservatives wanting to micromanage everything that happened in the classroom, wanting to micromanage curriculum, wanting to micromanage what happened in this school, what happened in that school and what happened in another school somewhere else. What do we see in this legislation? We see the McGuinty government wanting to micromanage not just what happens at the school board level but what happens at the school level and what happens in the classroom. The very same things, the very same sins that Dalton McGuinty used to accuse the Conservatives of, when you read this bill, are repeated almost verbatim here: more micromanagement of what happens in the classroom, what happens in the school. As if the Conservatives weren't meddling enough, as if the Conservatives weren't trying to say, from an ivory tower in Toronto,

“You shall do thus and so at this particular time in this classroom,” the McGuinty government wants to go further.

There are some things here that are clearly just filler; there are some things here that, when you think about it, are bad regulations—they shouldn't be in any piece of legislation—and there are some things here that are so obviously an attempt by the McGuinty government to further and worsen the sad spectacle of school micro-management that we saw under the Conservatives.

I want to just remark on what a number of teachers are saying to me. I'm a former teacher. I spent my first two years teaching in Toronto at a school at Coxwell and Danforth; I spent the next two years teaching at a rural school in northwestern Ontario; and then I spent some time after that as a community college instructor. I still talk to a number of my colleagues, a number of my friends in schools across the province, and this is what they tell me.

They say, “Do you know what? What I really want to do is teach. What I really want to be able to do is spend as much time as I can with my students. What I really enjoy is watching students learn. What I abhor is more and more micromanagement. What I object to is someone in the minister's office or the deputy minister's office telling me I have to do thus and so at this time, that I can't be trusted to use my professional judgment.” That's what teachers are saying.

Teachers are saying that what they objected to under the Conservative government was more forms, more documents, more accounting minutiae that they had to go through, that they had to perform. Now what are they seeing under the McGuinty government? More being added; more micromanagement.

I don't think we need regulations requiring school boards to “promote the provincial interest in education.” I think the vast majority of school trustees are there in good faith. They're there because they're dedicated to education. They're certainly not there for the money, at \$5,000 a year, for the job they do. Many of them work full-time. Five thousand dollars is not even part-time pay; it's an embarrassment. They're there because they're dedicated. I don't think they need a regulation.

I don't think Ontario needs a regulation requiring them to “promote the provincial interest in education.” I don't think boards need a regulation requiring them to reach goals in special education. What they need is the special education funding that hasn't been provided by the McGuinty government, even though it was promised.

I don't think they need a regulation requiring them to improve student health. What they want is to be able to stop taking money out of budgets that are supposed to be directed at educating students and being forced to use that money just to keep the heat and the lights on in the school. I don't think they need a regulation requiring them to publish reports on new regulations. They're already drowning in paper. They don't need the McGuinty government to force them to produce more paper.



I don't think that boards need regulations setting specific outcomes for students with regard to literacy and numeracy. As I said, what they need is the money in the reading recovery program instead of the McGuinty government ordering them to cut money from the reading recovery program. They need the vice-principals in the hallways, they need the vice-principals in touch with parents and students instead of having the McGuinty government ordering them to cut the number of vice-principals. They don't need the McGuinty government telling them that they need to improve student health. What they need is for the McGuinty government to stop cutting money from the budget that was supposed to ensure that schools are kept clean and safe for students.

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I wish the McGuinty government would just go back and read some of their old speeches, the speeches they used to give in here. Stop trying to micromanage teachers in the classroom. Stop trying to micromanage vice-principals. Stop trying to tell trustees that they can't be trusted to improve student achievement, that trustees can't be trusted to look after student health and safety, that trustees can't be trusted to make good-faith decisions. Stop doing that stuff and start funding our schools at the level they need to be funded at. Get rid of the inadequate funding formula that was put in place by the former Conservative government, that Dalton McGuinty used to rail against so harshly.

After three years of the McGuinty government, that funding formula should be gone. It should be replaced by a funding formula that provides the money for English as a second language. It should be replaced by a funding formula that provides adequate money for teachers' salaries. It should be replaced by a funding formula that provides adequate money for student transportation. It should be provided with a funding formula that ensures there is money in the school budget to pay the heating bill when it's 30 or 40 below outside. It should be replaced by a funding formula that ensures that you don't have to raid the English-as-a-second-language budget in order to pay the hydro bill and keep the lights on.

I wish the McGuinty government would stop coming forward with bills like this that are filled with micro-management, that are loaded with absurd regulations and that are loaded with filler, and do what we need to have done: Allow teachers to teach, allow vice-principals and principals to provide leadership, and allow trustees to make wise decisions, because the funding formula is there to provide for wise decisions.

**The Deputy Speaker:** Questions and comments.

**Mr. Khalil Ramal (London-Fanshawe):** I've listened to the leader of the third party for the last 20 minutes. I was listening to his negative news to the people of Ontario, to the teachers and to the families of the students. I strongly believe that when the teachers listen to him they're going to be very upset, because the news, the information and the result that Dalton McGuinty gave to the teachers in the education system is very important and very well received by the people in this province.

We are the province of Ontario. We're the Dalton McGuinty government. We put education first in our priorities. We give education the first attention because we believe that the future cannot be built without educated people. That's why our government, our ministers and our Premier work very hard to enhance the education level of this province, to create peace and tranquility in the education system. I believe that the leader of the third party has been here for the last eight years. He knows what the Conservative Party did to the education system and to stability and tranquility: a fight between teachers, the government and parents. For the first time we have peace and tranquility, and teachers love to go back to school and love to teach the students, and the students love to come to school. The parents don't worry as before because they have peace, and they know exactly that Dalton McGuinty's government values education. Dalton McGuinty's government invests more. Dalton McGuinty's government respects them, works hard to lower the size of the class and works hard to recognize that trustees in Ontario and the work they do are not as the third party leader said.

We believe in that system and we believe in education. That's why we have a lot of dialogue between teachers and the government. We listen to them and to their concerns. That's why it's a great bill for all the people.

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):**

I want to speak a little bit about another subject in education. I will have an opportunity to speak to this bill a little later, but I want to talk a bit about our visitors here yesterday, the Ontario School Bus Association. I met with members of the association from my riding of Renfrew-Nipissing-Pembroke.

One of the most important things in our education system, in addition to teaching our children, is ensuring that they're getting to school safe and sound and returning home safe and sound. What this government has failed to address and continues to simply slide under the carpet is the crisis we have in rural school transportation. For example, in my county of Renfrew, we have the oldest fleet of buses in the province. We have the lowest-paid bus operators in the province.

It is a result of the failure of this ministry, despite the ex-minister's promises—and now I guess he's making promises to federal Liberals—to come in with a fair funding formula that addresses the needs of rural Ontarians. He has not done that. In fact, when you talk to some of the boards across the province, our school bus operators tell them, "Do you know that we don't have radios?" They want our school bus operators to have first aid courses, CPR courses and all this kind of stuff, but they don't even have radios in their buses, because they don't have the money.

This government has failed rural schools. Six schools in my riding closed this past September. And they're continuing to ignore the needs of our children getting to and from school. That needs to be addressed. A fair funding formula for rural Ontario busing must be addressed immediately.



**Ms. Andrea Horwath (Hamilton East):** I'm glad to be able to participate a little bit by some questions and comments. Later on, I'll be giving some of my remarks on the bill.

I have to say that I'm really quite in agreement with the issues that were raised by the member for Rainy River. I have to say that because I've taken a look at the bill and I hear what the Liberal members have to say. They're still talking on their message box about all of the great things that Dalton McGuinty is doing in education, but if you just peel back a small layer—and I'm going to use one as an example. In fact, Mr. Ramal, the member from—I can't remember where he's from.

**Mr. Hampton:** London—Fanshawe.

**Ms. Horwath:** The member from London—Fanshawe was talking about this great relationship with the trustees and the teachers, this new relationship and this new kind of scenario that they're claiming to have created. But it's interesting, when you look at some of the comments that were made by my leader—because it's very clear that when you peel back just a small layer, you can see that this bill in fact creates all kinds of new measures where the minister can put the hammer down on the trustees if the minister is not happy with the way the trustees are dealing with the accountability measures that they put into this bill.

Although they talk about this new relationship of respect, through discussing quite bluntly the issue of remuneration for trustees and the fact that trustees are going to be getting some new opportunities to have some remuneration that reflects the importance of their job, which of course is something that everybody would agree with, but turn the page a couple of times in the bill and you see where the hammer comes down. If the government is not happy with the kinds of decisions that the trustees are making, not only does the hammer come down, but it comes down on a personal level, with the individual trustees being open to various actions by the government for not undertaking what's required by the government. Quite frankly, that's not a trust and respectful relationship. In fact, it's quite punitive.

**Mr. Jeff Leal (Peterborough):** It's always a delight to listen very carefully to the leader of the third party from Rainy River.

I have an interesting perspective on education. My wife is a grade 8 teacher in St. Teresa's school in Peterborough, and from time to time we chat about education issues. My wife always tells me her fond remembrance of the NDP government, in which the member from Rainy River was first the Attorney General and then the Minister of Natural Resources, which took her contract and went like this: oh, dear me, tore it up, tore up her contract.

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Then my wife went through the eight years of Tory rule. That was an interesting time because every day during those eight years teachers in the classroom were bashed and bashed again, told they were doing a poor job, told they were unaccountable, told they weren't doing a good job in the classroom.

Then in October 2003 a new day came to Ontario, when teachers were finally respected for the great job they do every day in the classrooms of this province. I have an opportunity to visit many schools in Peterborough riding and it's interesting when I'm there, talking to students, talking to teachers, talking to vice-principals, talking to principals. They uniformly say that things have never been better in the classrooms of the province of Ontario. That's due to the leadership of this government and to bills like Bill 78.

We've accomplished a lot in two and a half years. When you're talking to parents, they see a renewed interest in what's going on in the classroom. They feel part of the process. It's interesting that Bill 78 will move this process to the next step. These are good times for classrooms in Ontario.

I hear about school busing. Part of the problem with busing is when the previous government rammed amalgamations down their throats—

**The Deputy Speaker:** Thank you. The member for Kenora—Rainy River, you have two minutes to respond.

**Mr. Hampton:** To the member from Peterborough, I think it's safe to say from his exposé here that he won't be supporting Bob Rae, but he's yours now; you've got him.

I want to rise above some of the commentary and simply look to what third-party analysts are saying. For example, economist Hugh Mackenzie estimates that the McGuinty government is over \$1.4 billion short of meeting the recommendations laid out in the Rozanski report. You remember the Rozanski report, which said that school funding was inadequate under the Conservatives? He says that now, three years into the McGuinty government, the schools are still \$1.4 billion short of the funding they need.

In their 2004 tracking report, People for Education describe how teacher salary allocations in Ontario are roughly 10% less than what the boards actually spend, which means boards have to take money out of other budgets to meet the salary requirement.

A report by the Toronto Parent Network revealed that roughly half of the English-as-a-second-language funding at the Toronto board was in fact being spent on utilities because they were still being funded at a 1997 level.

There is the government's own report on the Dufferin-Peel Catholic school board, where this government is saying to that board to lay off custodial and cleaning staff to the tune of \$2.6 million, to cut continuing education to the tune of \$1 million, to defer \$2 million of maintenance, which goes directly to health and safety, and to cut \$2 million from the reading recovery program, which is intended to help those students who are having trouble learning to read. I think that speaks for itself.

**The Deputy Speaker:** Further debate?

**Mr. Bob Delaney (Mississauga West):** It's a pleasure to join the debate here on Bill 78, a fairly concise bill, as a matter of fact, some 31 brief pages. This is a bill that makes a number of minor amendments that we know in the vernacular as housekeeping changes that enable the



government to do three of our most important things in education. Bill 78 enables the government to keep its promises to parents, to educators and to students. It includes measures necessary to enhance student performance and, very important to teachers, to treat educators with respect and to remain open to the public.

In the course of my duties as an MPP, I have the privilege—I look upon it also as a responsibility—to visit our western Mississauga schools. I try to visit each elementary and secondary school at least once a year, and most years I can get to nearly all of them. Many of the other speakers who have joined in this debate, especially my colleague from Peterborough, have commented that you can see and sense the palpable change in the schools these days. Teachers are taking pride in their profession. Once again, they're being treated as professionals.

I can see the difference now between the climate and the morale in our schools and what it was in the climate under the former government. For the first time in years, teachers feel better about themselves, and they feel better about the job that they do. How does that translate? It translates into students who are more involved in what they're learning, students who can get excited about what they're learning, students who can have that spark ignited in them by a teacher who's truly passionate about what he or she is doing and about the lives placed in their charge—and, during that hour, to try to make one little piece of magic happen.

As someone who is also a former teacher, although I taught in the school of business studies at Ryerson University, I do understand some of the things that teachers go through. It is without a doubt one of the most rewarding things not only that I did for my students but that my students ever did for me. I discovered things in being a teacher that I was never able to learn while I was a student, and I was hoping that I could impart some of that excitement of discovery to the young men and young women in my charge.

That's certainly what I see as well, especially when I'm in our high school classes. I look at the community resumé that I had at the age of many of the high school students that I visit and I think to myself, "Gosh, with the requirement to do 40 hours of community service, students today just have awesome resumé's by the time they're ready to enter the workforce." They do a good job. They work hard for the people they volunteer for. In looking at them compared to my generation—admittedly, we didn't have the requirement or, for that matter, the opportunity, but I will say this, as one of the baby boomers: The generation of students to whom we're passing the torch are a fine group of men and women. I'm proud of them as I go and meet them. I think the world that we hand them is going to be a better world than our parents handed to us, and they're going to be eminently qualified to take this province and this country, this great nation of Canada, forward because, as a generation, I'll say to them right now, "You're fine people. We're all proud of you."

It's important that we treat teaching as a profession. Bill 78 allows teachers to be treated as professionals and

as well to behave as professionals, in much the same way that we expect and assume that other professionals will act, professionals such as accountants, lawyers, architects and engineers. Very much like teachers, they too have their professional body. They too participate in standard-setting. They too participate in decisions regarding the conditions in which they work and the mental software that they use while they're at work.

One of the first measures of respect is a stable, long-term collective agreement with the federations that represent our teachers. These are not just agreements bought by throwing money at unsustainable collective agreements. The work that our ministry, our boards and the federations that represent our teachers have done has been fair, sustainable and responsible. They've done a good job. They've yielded four-year—in other words, long-term—collective agreements that mean peace and stability in our schools. It means that we don't have to worry whether or not there will be a work stoppage. We know that, after the signing of those agreements last year, we have four years of peace and four years in which teachers can know that the agreements that they negotiated were good agreements. They were fair agreements, and they allow teachers to keep pace with the cost of living and to look at themselves as professionals and say, "I do professional work. I'm at the top of my game, and I'm paid for it."

We've started to get rid of the paperwork burden on teachers. On the watch of our predecessors, many teachers filled out multi-page detailed reports on students for a variety of reasons—reports that were never even read. The former government did what it called "statistical sampling" of the thousands and thousands of detailed reports submitted for a variety of reasons. We feel that if a teacher is going to be asked to write a report on a student, then a human being will read it and a human being will make a meaningful decision based on the information that's in that report.

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In Peel region, in both of our school boards, we used to have an epidemic of portables. On the watch of our predecessors, their government froze the building of schools. They cut maintenance; they cut repair budgets. They froze teachers' salaries and, just like the minimum wage on their watch, never raised them—not even once in eight long years.

The climate of teacher-bashing is gone now. For a change, teachers can welcome their provincial representative into their classroom and know that when their provincial representative comes back and stands in caucus or stands in this Legislature, he can say, "I visited with my teachers. I've talked to them. I've listened to them. I'm proud of them. They're doing a good job."

Among the things that Bill 78 allows is orientation for new teachers. It allows for mentoring. It allows for expanded professional development—all measures that used to be there but were cut on the watch of the former government. In our private lives, in the things that we do, we're kind of used to this, and we think to ourselves,



"Well, are you saying that teachers don't have this?" I know that in the software development industry, with which I'm a little familiar, the expectation was that on company time and at company expense you would be doing anywhere from five to 15 days of professional development just to stay level with your craft. It's that type of attitude that Bill 78 is bringing back to the teaching profession in saying, "We value what you do as professionals. We want you to stay on top of your game. We want you to stay current with the thinking in your craft. We want you to stay current with the subjects that you're teaching, and we encourage you to go out and learn what the latest thinking is, what the latest methods of teaching are, what the latest theories and philosophies are, and to bring those best practices back into your school and into your class to shape and mould the minds you're charged with." That's the sort of thing we want in Ontario, and that's the sort of thing Bill 78 is bringing with it.

Bill 78 is also bringing a revitalized Ontario College of Teachers. This is the professional body akin to the ones I referred to earlier that represent our lawyers, our accountants and other professionals. It's important that the Ontario College of Teachers has the confidence of its members, which is why half of those members will be teachers; that it has the confidence of the public and that the public understands that the Ontario College of Teachers is there to find the best minds and mould them into the best teachers. That's what Bill 78 will give the Ontario College of Teachers the flexibility to do.

It's also important that people understand that the Ontario College of Teachers is a professional body and not a political body. As such, the Ontario College of Teachers will be depoliticized, again a reasonable expectation that people have of a professional body, and Bill 78 will enable it for the Ontario College of Teachers.

Bill 78 grants boards the flexibility to cope with local conditions. Certainly in the area that I represent, in Peel region, both the Peel District School Board and the Dufferin-Peel Catholic District School Board have received funding far beyond the rate of growth. For example, the Dufferin-Peel board, which has had growth of only 3% in the last four to five years, has had an increase of funding on the order of 20%. This has enabled our boards to open schools where they've been badly needed, and enabled parents to know that their children are going to be close to the schools that they are going to attend. Of course, those will be new schools, state-of-the-art schools.

Speaker, I could go on; there's a great deal of value in Bill 78. But I thank you for the time to debate it.

**The Deputy Speaker:** Questions and comments?

**Mr. John O'Toole (Durham):** We're doing the two minutes now, I gather, is it?

I guess I'm responding to the member's response. I'm surprised that he hasn't taken his allocated 20 minutes on a government bill of this importance. He espoused that it's going to fix everything that has been, in his opinion, broken for many years. I'm questioning why he didn't

use all of his time, because certainly in the limited time we have as members of the opposition to bring forward concerns—it's our hope, seriously, that this bill would go to public hearings.

The member from Mississauga West does bring some really good points to the table, but he fails to mention some of the current dilemmas. As we know, some of the areas he talked about—and I will be speaking to them in a few moments—really didn't address where the real issues are. In fact, there is a gap in the funding formula. I would say that he made a mistake in the area of capital funding. If you were to consult with any person in education, you would find that there were more new schools built in Ontario because they changed the funding formula. It was all based on enrolment, and it wasn't a political decision any longer. In the old system, persons often lobbied governments—I suppose all governments, in the past—to get a new school in their area. We changed the funding formula; it's all enrolment-based. Also, the development charges that helped acquire land were all contingent upon growth in the municipality. So there were new schools built.

The area that I'm most surprised at, which was mentioned by the member from Renfrew-Nipissing-Pembroke, is the lack of recognition of other-than-urban centres in Ontario. The problems they're having in small-town Ontario and rural Ontario are extremely important in the busing area and for children with special education needs and support. I will be speaking on those areas, which I think are extremely important for the stability and importance of education in Ontario.

**Ms. Horwath:** I too think it's important that we note that much of the discussion that's coming from the government side—10 minutes isn't really a lot of time to spend on a bill they are taking so much pride in.

I have to tell you that, as we look closer and closer at this bill, there are significant issues that it doesn't address. While there are pieces in here that the government is very proud of, we need to make sure we're also informing the public—that's what they always say they are trying to do—about not only what they're not talking about that is in here but also what's not in here.

I look forward to making some comments a little later very much based on the experience of my own community that reflects not only some problems with the bill but also some of the pieces that this government continues to miss when it comes to doing what they purport to do, which is improve the education system by leaps and bounds.

I can tell you that certainly English-as-a-second-language students, aboriginal students, students who are refugees and students who are facing other kinds of challenges—special-needs students—are not getting the kind of education they deserve in the province of Ontario. School boards are still very frustrated by a lack of appropriate funding formulas, by a lack of dollars to meet the gaps they are currently dealing with in terms of salaries, by the fact that they are not able to construct the kinds of facilities they think they should be constructing in order



to meet the needs of students, and by the fact that they still have significant problems getting students to and from school. All these issues are reflected very clearly in my own boards of education, including issues around ability to provide appropriate French immersion programs.

I look forward to raising those issues a little later on.

**Mrs. Liz Sandals (Guelph-Wellington):** I am pleased to be able to respond to the comments that my colleague from Mississauga West has made on Bill 78. My colleague spoke about professional development opportunities which are outlined in this bill. I'd like to talk a little bit about that, because I think that's a very important issue.

When we were dealing with the previous Tory government, there seemed to be a great deal of hostility around the whole area of teacher professional development. We've done a couple of things to improve on that.

One is that we're getting rid of the test that teachers need to write—which the Tories brought in—in order to be licensed as teachers. This has been a very controversial test, because virtually everybody passes it and it doesn't really prove anything. We're replacing that one-time teacher test with a whole year of mentoring for first-year teachers, where they will be paired up with an experienced teacher and get on-the-job, in-class support with learning how to teach in that first year. In fact, their professional development under this bill will be tied to performance appraisal. As we look at that new teacher coming into the profession, we ensure that they are getting support, but we also make sure that the principals and vice-principals are reviewing the performance and making sure the performance in the classroom is up to snuff, not just what somebody writes down on a piece of paper.

I would submit that this is both a more supportive way, but also a more effective way to make sure we have quality teaching. We're also, on a go-forward basis, allowing more professional development days so that all teachers can have better access to professional development.

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**Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm pleased to join the debate with respect to Bill 78 and dealing with the comments from the member for Mississauga West. There are a number of areas he didn't touch on because he only spoke on the bill for 10 minutes, and this is quite a lengthy bill that deals with substantial changes to the education system and, some people may argue, with the watering down of the standards that were put in place in education in this province.

We now have a new education minister, and because of the funding deficits that are facing school boards it's probably a good time for former Minister Kennedy to leave and join the federal fray, in terms of leaving his legacy at this point in time where there's a lack of funding out there based on the Rozanski report in terms of proper funding for school boards.

The bill we're dealing with has some changes that I would say basically water down the existing standards. It has some interesting provisions with respect to permitting and empowering the minister to "collect ... personal information as is reasonably necessary for purposes related to" administering and ensuring compliance with the act. Nobody has commented on those wide-reaching powers, as to why that would be necessary and what personal information the minister would be looking for, be it related to the people who teach in the system, be it related to the students who are taught in the system, or whether it's related to the parents of students in the system. It's really a very strange provision in what they're trying to accomplish in terms of perhaps profiling in terms of the education system.

**The Deputy Speaker:** The member from Mississauga West has two minutes to respond.

**Mr. Delaney:** I thank my colleagues for joining in the debate and for their informed comments. My colleague from Durham especially is a very capable hockey player, and as a debater he is very clearly every bit as good a skater on thin ice.

My colleague from Hamilton East recognizes, to use her own words, that there are pieces in here that the government is very proud of. Frankly, I agree with her: We are proud of Bill 78. It doesn't do everything the government is going to do in its four years in education, but in the areas Bill 78 addresses, it does so very well. I thank her for her comments. I have no doubt we will be hearing more from her later this afternoon.

My colleague from Guelph-Wellington has pointed out that one's working life is also a journey in lifelong learning. Her comments suggest that mindless testing is indeed meaningless, but that a process of organized learning is something that adds value to one's working life. That's what professional development is all about. It's not about a series of events that culminate in a test that says you did or you didn't, you passed or you failed, but it's something that adds value to what you do as a teacher in the classroom.

My colleague from Barrie-Simcoe-Bradford commented on the length of time I spoke to the bill. I'd just like to let him know that my colleague from Ottawa-Orléans will have more to say on Bill 78 later this afternoon.

Rather than watering down the education process, Bill 78 enables lower class sizes. That's not watering down. One of the things it does that not many people have talked about is that it clarifies and expands and makes meaningful the role of the student trustee. Boys and girls, we've got something there for you. Watch for it. It also redefines many of the roles of the existing part-time trustees and enables them to be treated with professionalism and respect.

**The Deputy Speaker:** Further debate?

**Mr. O'Toole:** It's a pleasure to have an opportunity to speak to Bill 78. As has been said, it's a fairly comprehensive bill. I believe there are eight sections dealing with amendments to a number of acts. As such, I think



you have to sort of start at the beginning and look at what the goals are.

When I was starting to prepare for this, I looked at the election promises made by the Liberals and I dug out one of their many pledge books. These are the books that were presented during the election. I'm just going to see how they're doing, sort of a report card, if you will. It has to do with Bill 78. I'm sure I'll see most of what they promised in the bill, as we try to relate the two pieces. Most of these are laudable objectives. I would expect that most members on all sides, in all parties, would support the objectives. It's one thing to make a promise; it's quite another thing to have a plan of achieving those promises. In fact, by any measurement that should occur, the real report card here will occur October 4, 2007, certainly for the members of the government side.

Here are some of the promises: "Higher student achievement." It would seem to me by the wording here that they're going to force higher achievement. You could do that two ways. You could provide more absolute direct teaching time or you could potentially lower the bar. You could lower some of the tests or the expectation levels. I would hope that it was the students being put first.

"We will ensure that at least 75% of students meet the standards within our first term of office." The question then becomes, what's the standard? I always like to say it's like the wait times in health care. They're going to tell us that the wait times are going to be reduced, but what's the standard, what's the benchmark?

To go on, "We will cap class sizes in the all-important early grades." My wife is an elementary teacher. In fact, I believe this is her last year of teaching. She's going to have to submit her resignation to retire this year, if she wishes. It's a tough decision, because she does love teaching. She really is finding it a difficult struggle. But she's saying that to have this one-size-fits-all kind of approach—in this particular year she does not have 20 students per class in her elementary grade, as promised. I think she has 24, and I'm saying this on the public record. She has a couple of children with special needs.

The point I'm making is that this one-size-fits-all, the 20 students per class, may be a disadvantage. You'd have to let the principals and the other administrators make those kind of decisions. I still believe that they need the flexibility to make the decisions, either at the teaching level, the principal level or the superintendent level, or indeed the director or board level. If there's a particular teacher that's burdened with many children with special needs, or there aren't enough children, where they'd have to have split or triple grades in one room to meet this magic 20 students, it may be a disservice to the students. So there's a second promise that I question. They're going to get there, perhaps, but my experience is that while they say they're going to have classes of 20 in junior kindergarten to grade 3, clearly the evidence that I'm speaking to, of which I know today, it's not the case, and we're a long way—

Now, you've got to look at the implications here. When you force more classes, you have to have more

classrooms. If you have to have more classrooms, you have to have more teachers, which will become part of my concluding remarks on this in the limited time that I have. Because you'll see that most of the bill is to deal with the governance issues in a regulatory framework for the college, etc. Quite honestly, you'll see in my concluding remarks that the issue they're having with the Peel board is that it's all about there's not enough money. I put to you now, right on the record, really early, that about 25% to 30% of boards in the province of Ontario are in deficit, or they have robbed or completely eliminated any reserve funds or contingency funds they've had. That's the problem. Yes, they've flushed in 144 new teachers or some number like that—and no one would argue with that—but they're not supplying the funding that goes along with it. There's a great gap of about \$7,000 per teacher, where their funding formula is a certain amount but the actual amount is \$7,000 higher.

The next promise here is, "We will make reading, writing and math mandatory in each teaching day." Again, as I restate, most of the members here would agree with that wholeheartedly. The literacy initiatives I can see as laudable objectives, so that each of us will be complimentary when we see that the real intent is the students and that the resources are there. I think the announcement by the Minister of Culture of additional funding for libraries in my riding is welcomed, with increased literacy both in the computer, digital environment as well as in books, the importance of learning, and certainly to have mentors to encourage children. Most of the information they're going to have to gain in their life is in books and other media.

1640

Another promise they make here is, "We will make high-quality child care and education available for our youngest learners." If I look at it, I'm going to say that I have five children and all but two of them are married now, and we have two grandchildren, so I know how difficult it is especially for professional young couples today and all that. But the point I'm making is that if you look at junior kindergarten, they start that at about three years of age. I think that for parents—the man and woman or whatever—to bond with the child, they need a year or two. I'd be more in favour of extending parental leave or transition-to-the-workplace kinds of initiatives so that the parents have at least those first two formative years in the early development of that child.

That doesn't mean they shouldn't be exposed to the early learning centres that we put in place after the Mustard-McCain report. The early learning centres could be balanced to increase the appropriateness of certain types of learning materials for the child and to teach parents what's age-appropriate learning material, and those resource centres should be expanded so that parents and children learn together and celebrate the beauty of learning.

There's nothing really negative except for their strategies. There doesn't seem to be a consistent plan here. Making high-quality child care is all part of that recent



federal election on child care. There's no question that we can't assume that all parents of children are capable and we can't assume that they're all incapable, and that only the nanny state or the motherhood of government knows best. What is important is to certainly provide resources in the community, opportunities for new parents to learn parenting skills and to expose children to other kinds of environments in a family-friendly setting.

I'm wondering how this daycare system is going to work. If you're part of their plan here—and I'm looking at my riding in Port Perry or Sunderland or north parts of my riding near Brock township—I wonder how they're ever going to get to a nursery school or daycare or whatever they're going to call it. Are they going to put the children on a bus? Many of those families from my riding that live, say, in Port Perry, Blackstock, or Burketon, which is an upscale type of community on the Oak Ridges moraine, are professional people. Most of them work in Toronto. If those couples want those children to go into daycare programs, what are they going to do, drop them off at some school at nine in the morning and then get to work by noon? No. I think there need to be more thought and more partnerships with parents to make sure that this universal daycare, this one-size-fits-all approach—as in class sizing.

I'm not against Best Start. I think there's been a lot of commendable work done by Fraser Mustard in the Early Years study. He's an eminent child psychologist, I believe. I've heard him speak several times. It's important to keep parents up to speed with that early, formative development of the child.

Another promise: "We will help children with special needs." Well, there's the one that's really starting to tug at my heart. I've met with autism families in my riding—the work they've done, the promises in writing that Dalton made prior to the election. It's almost shameful, this taking advantage of the political process and of those vulnerable families who have children, no one would argue, with special needs. They are still in court with those autistic children with needs around linking the pre-school program to the school program. If you listen to some of the comments I'm going to make very specifically to three separate areas, special ed will be one of them. I can tell you from experience. My older sister, who's now retired, was a teacher as well. She was a specialist in speech pathology, and she told me that this one on one is extremely important and early intervention is extremely important.

The system of developing special education programming for each individual child and their special needs is kind of a red-tape system. The child has to be identified; they have to be assessed. Then they go through what they call an IPRC, an individual placement review, and after that review they develop a program that's appropriate to that child. By that time, the child is in about grade 3 or 4 and you've missed the early intervention opportunity.

What they've got to work with is the parents, who, prior to school, have developed a specific relationship or

ways of communicating with that child with special needs. They're leaving behind the family, which is going to have that child all his life. As a parent with children in their 30s and 20s, I can tell you that they are still and will always be my children, as any parent here would say. Some of them do have special needs, and I could speak more of that.

"We will help struggling students." There's so much turmoil, quite honestly, in the classroom, not just Bill 78 but the changing demands in the school with security and nutrition programs. There's so much being expected of the schools, not just literacy but nutrition, sense of worth and security, and they have a name for that. I think it's called character education. Avis Glaze, who is with the Ministry of Education now and eminently respected—she was part of the Royal Commission on Learning and she was the director of education for the Pine Ridge board. She initiated this character education program, which I think she's now head of. I've also met with the Lions Club, which has a program called Lions-Quest that I believe is an up-and-ready and running program where the government doesn't have to spend millions of dollars potentially developing a program to try to engage and address these children who are struggling. We know the relationship and the social consequences of children struggling, who potentially fall out of school. There can be great risk to themselves, their families and, indeed, society.

We all have a stake in this, and it's not even at an ideological level. It is at a level of, "Let's get it right. Let's listen to the professional educators."

"Better schools for better learning. We will make our schools safe." It's almost in lockdown mode. Then again, they go back to the one-size-fits-all, father-knows-best mentality where everybody has to have the cameras and the locks and the various things, which make children hypersensitive to the security issue, which may not be appropriate for every school.

Another promise here: "We will help students create well-rounded citizens." That's the one that's talked about, the character education. That's going to put unmeasured expectations on the educators themselves, the teachers. As I said, one of my other daughters, who is a secondary school teacher, I believe in science—I'm not absolutely sure of her specialty area, but she's a very knowledgeable young person. She taught here for a couple of years. She's now teaching in England; she's been there three or four years. She is a department head in an English high school right in London, and she has told me that they are working very hard on the inner city school dilemma. I think some of the exchanges there are not particularly well-addressed by anything I see from the government.

That is their booklet. They're not available any more. It's full of promises, almost all of them undelivered. It's paying more, getting less, no plan. The only plan they had was to print these fancy brochures. I have several of them here. Now we're sort of saying, "Gee, you've got the wait times. You've got all these things to measure."



**The Deputy Speaker:** Member for Durham, I've allowed you to wave them around a bit. I would appreciate it if you would keep those on your desk, please.

**Mr. O'Toole:** I didn't mean to use them as a prop. I think they're just a point of information as related to Bill 78.

After two and a half years, this is really the first bill. As I said, this bill here—if I go through the preamble, it usually gives you a précis, an outline, an executive summary, if you will, of the bill. There are eight sections in this bill, and it's quite complex, because it doesn't just amend the Education Act; it amends the college of teachers act and other statutes, education accountability, the quality improvement act, the Provincial Schools Negotiations Act, a lot of acts.

For some of the new members to understand this, you have to refer to the act it's amending. You can't just read this little thing here. A lot of regulations will flow from this that aren't even gazetted yet. We don't know really what they're going to do.

1650

I want to keep this current. I have read something here, a press release—the prop here is the bill, Mr. Speaker—and it says, “In the wake of Gerard Kennedy's resignation as Minister of Education, Sandra Pupatello inherits his legacy of underfunded program announcements and policy commitments.

“After two and a half years, Gerard Kennedy has left Ontario's education system burdened with policy and contractual commitments beyond the fiscal ability of school boards, leading inevitably to deficits in every school board in the province in the coming year.

“He leaves in his wake a multi-million dollar funding shortfall that school boards will have to deal with as the result of his ‘peace at any cost’” labour settlement with the teacher unions.

“His only major piece of legislation in two and a half years, Bill 78, robs school boards of any meaningful role, undermines the authority of school board trustees, strips away the independence of the college of teachers, does away with qualifying tests for new teachers, and down-loads numerous responsibilities to school boards without any commitment of resources,” i.e. the dollars.

“After two and a half years, rather than delivering on his promise to provide services to autistic children, this minister is fighting autistic children in the courts” this very day. “Rather than improving services to special-needs students, this minister presided over the clawing back of special-needs funding from schools boards across the province, and rather than adequately funding transportation for Ontario's students, this minister has ignored the appeals of the Ontario School Bus Association”—who were here yesterday, whom I'm sure you met, but did you listen?—“and has forced hardship on parents and students throughout rural and northern Ontario.”

In conclusion, “He has yet to deliver on the promised funding to keep rural and small schools open, and deflects responsibility for the imminent closing of many of those schools. And at a time when other jurisdictions are setting even higher standards for their students, this

minister, in the name of ‘student achievement,’ has lowered the bar and dumbed down the curriculum, and compromised provincial testing standards, all in an effort to meet a political agenda” and not the interests of students.

That's quite discouraging. To verify that these aren't just political statements by the opposition, which is our need to do, I'm looking at what has been said in the printed media by third parties; for instance, the chair of the Upper Grand District School Board: “The idea that Queen's Park knows best—whether the school is in Thunder Bay or Guelph—obviously stinks for people like Bob Borden. ‘Where's the local decision-making?’ asks Borden,” chairperson of the Upper Grand District School Board.” So he's not happy.

Another one is quite surprising. This is from Emily Noble, of the Elementary Teachers' Federation of Ontario—very well respected. I've met with her in times past, and felt she has always had an independent voice. “The province already conducts province-wide tests and Noble said the union will not support what she calls ‘additional demands on students.’ The bill proposes to set educational outcomes for students.

“The union is also concerned about proposed restrictions on who would be eligible to run for a position” in the college, and this is where the union in the college issue becomes quite complex. I'll tell you, at the end of the day, it's going to be what sinks them.

This is quite good: “It's not the first time the minister has made this announcement. It's the third time Gerard Kennedy had made this announcement. Most trustees would greet this with a great deal of skepticism.” That was from Durham District School Board chair Michael Barrett. Remember, when someone promises you, and especially promises our children, and fails to deliver, there should be a standard for the measurement of outcomes and expectations.

In the minute or two left, I think I will, in my summary statement, point to the currency of the issue with the Peel board. They have just been audited, and it has been clarified that they are underfunded. Rozanski says it; People for Education say it. When I listen to the prepared speeches written for the members here and read—they just read the speeches given to them by Gerard, now Sandra Pupatello—I'm disappointed with their lack of insight about the difficulties with this bill. I'm saying to you that this bill fails the children of Ontario. It needs to have hearings, and the people involved in education need to have a much louder voice.

You must look at the headlines on the Dufferin Peel board. There are three key issues, all of which I have covered here: acknowledgement of underfunding of salaries, transportation and special education. This is about children, and the issue here today is, are you listening and are you prepared to amend this very flawed bill?

**The Deputy Speaker:** Questions and comments?

**Ms. Horwath:** It's my pleasure to make some comments on the previous speech. A number of the issues



that were raised, although the details might be a little bit different from the way I look at them, certainly are important ones. I think we need to be really clear about not only what this bill contains but what it doesn't contain, not only what it does but what it doesn't do, and also about some of the concerns that still remain outstanding when it comes to the provision of a good-quality education in school boards across the province, in large communities and small.

The member was talking about rural communities in particular and the experience of his own family members in regard to the provision of education, as they are teachers. I think that brings some insight into specific situations, but really what this kind of legislation purports to do is to bring a more systems approach to the education system. I can provide some information myself about what we see, from the New Democratic Party perspective but also from my own personal understanding of the school systems in my own community, to highlight the fact that this bill will not take care of a number of the really problematic areas that the educators, teachers and boards in this province are still facing in regard to achieving that goal of attaining superior, or at least appropriate, qualities of education across the province.

I think that the time we're going to be spending this evening and in any further debate we're going to have over time on this bill is extremely important, because the people of Ontario need to know it's not just about government spin and it's not just about celebrating some of the things they think are great about this bill, but also about taking a really appropriate look at where the shortcomings still exist in this government's education policy, because they're very severe.

**Mr. Leal:** I'm always pleased to have a moment of reflection when comments are made by my good friend the member for Durham. I don't need the speaking notes provided by the ministry. The notes I have are my first-hand experience going from classroom to classroom in schools throughout the riding of Peterborough, from Bridgenorth to Lakefield to Otonabee to Keene to Havelock to Norwood. The message is clear: When you talk to the students in the classroom, when you talk to the teachers, there's a new day in the province of Ontario that started in October 2003.

I said in my previous remarks that my wife is a teacher. She's been teaching grade 8 in St. Teresa's school in Peterborough for some 17½ years. When you talk to teachers, they reflect on those Tory years, those eight years when they were afraid to speak out on issues in the classroom from fear of repercussions from that big team they had here at Queen's Park. When people were outspoken and tried to point out to them fundamental flaws in their education policy, they were afraid the big hammer was going to come down on top of them.

When October 2003 came, the appointment of a new Minister of Education, Mr. Kennedy, brought about renewal in Ontario's classrooms from Cornwall to Kenora to Petrolia to Peterborough to Bowmanville to Barrie,

that great sense of renewal that keeps going on in the classroom. Bill 78 is part of that. That very positive legacy that has now been passed on to the new Minister of Education will allow us to keep moving forward to fulfill those campaign commitments we made to higher standards for education in Ontario.

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** I certainly welcome the opportunity to comment on the presentation from our member for Durham. It's not the first presentation I've heard from the member for Durham on issues of education. In fact, I've been captivated by many presentations, not only in the Legislature but in caucus, in meetings and in one-on-one conversations. This fellow knows of what he speaks.

**1700**

There was mention made of being in schools. I was with a grade 5 class on Friday in Dunnville. I had a great time chatting with these students, answering questions; that was always my style when I taught. It's interesting: When I think of these children in grade 5, they probably weren't born when the member from Durham was elected, in 1995. It put that in perspective for me, the environment that these grade 5 students have really gone through with their educational system. They're in a school in a small town. I don't know whether any of those elementary schools are threatened with closure, but it does bring to my mind the attachment that they would have to their particular school.

They asked me about my school days and, quite honestly, I was going to tell them a bit about what it was like to attend a one-room school. I realized it would probably take an hour to even begin to explain to these students how different the environment is now compared to the environment that I was involved in. Of course, I had no opportunity to explain to them some of the threats that they may be facing under this present government.

**The Deputy Speaker:** Questions and comments? Member for Durham, you have two minutes to respond.

**Mr. O'Toole:** I want the indulgence of the House here. This afternoon my daughter and her fiancée were supposed to be here. I was going to introduce them because next week my daughter, Rochelle O'Toole, and her fiancée, Jason Traynor, are moving to the Isle of Man. I was going to put it on the official record here because they're leaving next Wednesday. It's a sad day in my life, one more of my three daughters moved out of the country. I hope it has nothing to do with me.

Anyway, I do want to thank the member from Hamilton East for her honesty and comments—I do look forward to her comments here very shortly—and also the member from Peterborough. He is a good friend of mine, in fact a good friend of ours.

Mike O'Toole retired as a justice of the peace in Peterborough. I was unfortunately unable to attend that reception. But he would know that most of the changes in education have a long history. I was a trustee for a couple of terms and was on the provincial board. The Royal Commission on Learning was started by Bob Rae. Basically, Minister of Education David Cooke was trying to



implement that. What our changes did was try to complete the Royal Commission on Learning, which was an extremely important document. I think all members should apprise themselves of that document.

One of the more controversial issues in that document was what you're talking about here today, the college of teachers. You see, as was mentioned earlier by the member for Mississauga, by definition, a profession is a self-regulating organization. It can't be dominated by a union; that's the whole issue. The integrity of the profession must be protected by its governance structure, and I think that's been missed in this bill somewhat. I'm not against unions. The OMA is the union of doctors and the college is the regulating body, and that's what needs to be followed. There are practices here that protect the professionalism of teachers.

The member from Haldimand-Norfolk-Brant, a former teacher and very good friend of mine, with a master's degree in science, knows of education and its importance. Each of us here wants a better education, a better opportunity for our children. This bill seems to fail that mark.

**The Deputy Speaker:** Further debate?

**Ms. Horwath:** I have a number of issues that I wanted to raise and put on the record in regard to Bill 78, An Act to amend the Education Act, the Ontario College of Teachers Act, 1996 and certain other statutes—statutes. “Statutes” reminds me of a funny joke, but I'm not going to tell it right now. My family, if they're watching, are laughing, because they've already heard it several times. Anyway, certain statutes related to education.

I wanted to read out the title of the bill because as I was reading through the comments of other members, particularly from my caucus and our lead critic in this area, Rosario Marchese from Trinity-Spadina, one of the first things he was indicating was that this of course is an omnibus bill. It's a bill that deals with a number of different areas of legislation, generally all within education. But certainly it is considered to be something of an omnibus bill. I thought it was important to once again raise the issue of the trouble that omnibus bills often create in that there might be pieces of omnibus bills that certain parties might be quite responsive to and quite supportive of. I'm not saying this is particularly the case here, but I am saying that when governments decide to bring forward legislation that's all patched together and that addresses a number of different areas, often you end up in a situation where the pieces that can't be supported are the ones that hold up the bill or hold up progressive or forward-moving action on other pieces of legislation. So I have to say that it's disappointing that something the government purports to have as such a high importance is brought forward in an omnibus fashion. Already the nature of omnibus legislation is that it's much more difficult to get the other parties to agree to it, because often-times there are pieces that are just not palatable at all. That was the first point I thought I should put on the record.

The other issue I'm going to talk about a little bit more later on is the way the government describes the bill as

being about student performance. That has come up many times, and many different members of the government side have described the bill in those terms, but unfortunately, if there's one thing that's educational about this bill, it's the Orwellian nature of the title and the Orwellian nature of the description that the Liberal members seem to bring forward when they talk about the bill. It's not dissimilar to the way we saw the previous government act in terms of the way they named legislation, as opposed to what the legislation really did.

For example, in this case the Liberals talk about this being to enhance the performance of students. I recall the legislation that the previous government brought forward called the Tenant Protection Act, which did anything but protect tenants. It's interesting how these Orwellian concepts that the previous government was famous for somehow have made their way into the current government's language about how they describe legislation that they are bringing forward. I'm going to talk about how it's a bit Orwellian to consider that this has anything to do with student performance a little later on, but there are two or three other issues that I wanted to put on the record.

One is the issue around the teacher induction program. Again, I think there has been some work done there; I believe that some teachers have indicated their acceptance of this model. That's something that I think, well, is out there, and we'll see what happens after implementation. But what is not talked about are the other issues around the teachers' situation.

The member from Durham was just talking about the college of teachers and his concern about the makeup of the college of teachers. Ours in fact is the opposite. We don't think the college of teachers needs to be restricted by a simple one-person majority. We believe that teachers actually are there doing their jobs, for the most part really committed to education, committed to making sure their college has extremely positive results and is very effective and very responsive to the teachers' role in the education process. So we don't think there was any need to restrict the number of teachers sitting on the college.

Having said that, the government is quite happy with the fact that they did the 50 plus one or the simple majority on the teacher representation, but what they did was they buckled to the pressure of the previous government, of the Tory members, the Conservatives, who are saying, and you heard it from the member for Durham, “Well, teachers can't be trusted. We don't like the unions. They shouldn't necessarily be in control.” So what did they do? Instead of ensuring that they were committed to their belief or instead of committing their talk about this new relationship and this new respect for teachers, instead of reflecting that in the legislation, what they've done is they have created this new oath that the teachers need to take when they are appointed to the college. So the teacher members, in fact all members of the college, need to take this oath that they are committed to the public interest in the application of their duties as members of the college.



1710

If you trust someone and you're saying, "We trust you. We have a new relationship where we have this new kind of back and forth, this new way of dealing with you that's based on respect and understanding and dialogue. We're going to appoint you to this body. We'll give you a slight majority on it, but you're going to have to make sure that you take an oath," what kind of trust is that, requiring an oath to be taken? The bottom line is, if you're going to be appointing people to this college, you're appointing them because you trust in their ability to undertake their duties responsibly and from a perspective of educators who are in this field and in these careers because they truly believe in what they are doing. That's enough for me. I don't understand why this oath has to be created. Nonetheless, the government has decided they have to take an oath because it's not good enough to trust them on their word that they are committed to their positions and they are going to do the right thing in being appointed to the college. They have to take an oath. Okay, fine, take an oath.

The other thing we don't hear about is that the government is also setting up this committee called the public interest committee that then is going to create the oath, oversee the oath, and make sure teachers are following the oath and that they're not going to be in positions of conflict of interest. So you trust teachers, you've got a new respectful relationship with them, you're doing all this great work around your relationship with teachers, but you're not going to give them what they wanted in terms of representation on the college, and if they do get appointed to the college, they have to take an oath. Then you're setting up a committee of a number of people, three to five people who I'm sure are going to be well paid, extra bureaucracy, who are going to be put in there to oversee the development and implementation of the oath and the conflict-of-interest guidelines for teachers who are appointed to the college.

All of those things don't sound like trust and respectful relationships. They sound like something totally different. When I talked earlier in one of my questions and comments about what the government says and what it does and how those two things are very different, that's a very clear example, in my opinion, of that situation. So when I say you have to peel back the layers, that is one layer that I think people need to acknowledge exists and was built into this legislation not by accident but purposely.

The other issue I wanted to raise before I get into details about my own community is the issue of the respect and partnership and all that same lingo that the Liberals like to use when they talk about trustees and the role of boards of education across the various communities.

I have to say that if you look at some of the measures in Bill 78 that deal with board compliance, that deal with the fact that the government has put in this bill—you know, one of the government members talked about, "We're not going to be like the previous government.

We're not going to have the big hammer." Well, you know what? The big hammer is in here. It's in here, and it's very clear that the boards of directors have certain duties that are expected of them, that are required of them. If they don't comply to the minister's satisfaction with the requirements in this bill, whether it's through regular kinds of edicts that the minister might from time to time put down or whether it's to do with special project funding or other kinds of initiatives that the government might be bringing forward, not only are boards liable in terms of sanctions and those kinds of things, but board members are actually individually liable. Board members can be taken to court. Board members can have major repercussions if they are not following by letter of the law, Bill 78, what the minister's edicts are.

I ask you again to consider—the Liberals like to talk about this new relationship. They like to talk about respect and they like to talk about the remuneration of trustees, which I think is an appropriate thing in terms of indicating their respect for and commitment to the important work that members of school boards undertake on behalf of the people of Ontario, on behalf of the students of Ontario. But what they don't tell you is that in fact the hammer that they are saying they got rid of is actually in here, and it's in here with a vengeance.

Again, it's really important that people in Ontario recognize that while the government spins out its message over here, the legislation they are tabling over here often has pieces in it that don't really match up with what they are saying in their media clips and in their announcements.

I thought it was really important for me to mention—I'm running out of time already—a couple of really important issues that have come to my attention. It goes back to the issue I was talking about at the beginning of my remarks, and that is the issue of the extent to which this really is about changing student performance, whether it's about increasing student performance, whether it's about increasing the experience or making more positive the experience of education in our community.

I wanted to start by reading some remarks that I received, not personally, but that were actually published in our local newspaper about three months ago. It was submitted by Judith Bishop, who is a trustee in the city of Hamilton public board, and this is what Judith says. This is not old news. This is current information:

"The major problem for all boards of education is salaries and benefits. The gap between the amount funded, and the actual amount paid in teachers' salaries in 2002 was approximately \$4,500 per teacher. In 2003-04, the gap in funding had grown to approximately \$6,000 per teacher"—going in the wrong direction. "Staff cannot be reduced because of collective agreements and class size regulations.

"In Hamilton, the gap is closed by using most of the local priority grants and taking \$1.3 million from French as a second language (this includes French immersion), \$1.8 million from English as a second language ...



and \$2.8 million from a grant intended for disadvantaged students and those at risk. Left unresolved, the gap is expected to increase by an average of at least 10% per year over the next three years."

Well, do you know what? That problem is not addressed in Bill 78. That problem is not fixed in this bill, and it's really inappropriate that the government claims that they fixed all the problems in education when reality tells us something quite different.

I'm going to go on, because there's more.

"HWDSB"—Hamilton-Wentworth District School Board—"plans to complete nine new schools in the next few years. But new school construction funding benchmarks are still largely based on 1997 costs"—almost 10 years ago. "There will be a 25% shortfall (approximately \$22.5 million), which can only be made up from the sale of school buildings and lands. Details of the province's new policy on school renovation and construction are still awaited.

"The uniqueness of Hamilton's special education needs has not been reflected in funding. In 2003-04, the provincial average funding per student to cover the cost of providing intensive supports for students with high needs was \$471 per pupil. The amount for HWDSB was \$397 per pupil, 18% below the Ontario average. Although HWDSB has seen increased funding in the last two years, there is uncertainty over funding for the future," and it's still inadequate at this point in time.

"The funding for ESL students has increased a little, but HWDSB is concerned that it is not providing all of the supports needed for the children of government-assisted refugees, who have had little or no education in their first language."

Transportation issues: "There is still no provincial standard for school transportation. Funding is essentially based on boards' 1997 actual expenditure on transportation. HWDSB's efficient transportation services have an average cost per pupil transported of \$2.50 per day. But not as much service is provided as some other boards. The promised new funding model is eagerly awaited....

"Clearly in 2005 the Hamilton-Wentworth District School Board is not completely over its funding issues." On this day, in 2006, it remains the same.

It's interesting, because that description of what's happening in Hamilton is a specific reflection of the broader concerns that were raised by the Ontario Public School Boards' Association in a position paper they recently published. They say they are "concerned that the shortfalls in some education funding lines have forced some school boards to draw from discretionary areas of funding, especially when that area is English as a second language. We want to see changes in funding that make this unnecessary. We want to see school boards be able to balance their budgets and still spend every single ESL dollar on services for immigrant children." I want to see that too. The Liberals talk about how they want to see that but they don't do anything in Bill 78 to make that happen, and that's a big problem.

Another thing that the Ontario Public School Boards' Association talks about is English and French: "In two

years or less a child can have a level of fluency that allows her to easily carry on a conversation. But it takes from five to seven years to master the nuances of language that instruction in our schools is based on. Current funding in the province goes to four years but it is not the same amount for each of those years." In other words, "There is a big drop in the level of funding from year one to year four." This is a problem. They need to see "a more realistic time frame to make sure that immigrant children have every chance to succeed in school."

Again, the government talks about those kinds of principles, talks about those kinds of values, but they don't implement them. You cannot trust the Liberals to implement what they say they're doing. When they bring in legislation like Bill 78 and it doesn't cover these fundamental issues of English as a second language, French immersion—that's another one that's come up in my community, and I'm just going to read you something that has come from some French immersion issues in the Catholic school board or the separate school board in the city of Hamilton.

1720

What's happened in the separate school board in the city of Hamilton is that a parents committee had to be established. They established themselves as an interest group to try to lobby their school board because the Catholic school board is diverting French immersion funds out of the French immersion program to take care of other needs that the school has. I was made aware of this by Kaywana Gargarello, who has been a leader in our community on this issue. In fact, she indicates that it's reflected in the very beginning of the French immersion program, in their senior kindergarten program. It now says on the school board site that the senior kindergarten program is 50% English and 50% French, but it used to say that it was predominantly in French. What Ms. Gargarello was asking was, why was that changed? "What little French we have in [the] program is being 'watered down' with seemingly no effort to put anything back."

So again, another problem with the fact that French immersion, ESL, and special needs are all being siphoned off; those dollars are being moved to take care of the funding formula problems that this government has still refused to address in the province of Ontario. Bill 78 doesn't do anything for those funding formula problems. Whether it's the basic funding formula, whether it's the transportation funding formula or whether it's the capital funding formula, they're all still a mess, and Bill 78 doesn't even touch them.

There was one last issue that I wanted to raise because I think it's another piece that the government is missing completely. This is about a program that was funded in two schools in Hamilton but was funded by the Hamilton Community Foundation, because at least they figured out some important things that need to be done for First Nations children in the community of Hamilton. The article from the Hamilton Spectator—and I really encourage people to have a look at it, because you can learn



something from it—was published back in March, just a couple of weeks ago. It talks about a young woman from an aboriginal community who had given up on school. She wasn't successful and she was tired of going to school and feeling like a failure, so she took to the streets of Hamilton and basically gave up on her education:

"Last September, she took a look at her life and decided she didn't like what she saw. She started going to her classes at Sir John A. Macdonald Secondary School, where she is enrolled in Nya:weh, a unique program designed to keep aboriginal teens in school.

"This is the first year I've actually done good," says Skye. "I'm very proud of myself for the school work I've done."

It goes on to describe some of her accomplishments and it talks about the program:

"Nya:weh was started with a grant of about \$222,000 from Hamilton Community Foundation. That funding is about to run out. So Rehill," who is the principal of Sir John A. Macdonald school, "and members of the Hamilton Executive Directors Aboriginal Coalition (HEDAC), which oversees Nya:weh, have gone to the city's two school boards. They need \$80,000 a year to keep Hill and Cabezas and to pay a half-time outreach officer to hook up with likely Nya:weh candidates."

There is a real investment that makes a difference in the lives of aboriginal students, and although this government, again, talks about their relationship with First Nations communities, they are doing nothing to help aboriginal students. Certainly I didn't see anything in Bill 78 that deals with the issue of aboriginal students being able to stay in school.

"There has been an entire generation of our community lost to the intergenerational effects of residential schools.... This program has re-engaged the aboriginal community by allowing them to embrace both traditional and western education styles."

*Interjections.*

**Ms. Horwath:** They obviously don't care about aboriginal students, Mr. Speaker, because they're really making a lot of noise and I can't even concentrate on sharing with the people of Ontario some of the important programs that people are undertaking—not the people here in this House.

**The Deputy Speaker:** Order. Questions and comments?

**Mr. Phil McNeely (Ottawa–Orléans):** On the cover of the Ontario English Catholic Teachers' Association newsletter called Agenda, it says "Omnibus Bill Aims to Improve Education Performance."

The member from Hamilton East, who spoke previously, also called it an omnibus bill, so I'd like to clear that part up. There were a lot of other inaccuracies as well, but I would just like to say that an omnibus bill is one that packages together several measures into one or combines diverse subjects into a single bill, and this is not the type of bill that we call an omnibus bill. I wasn't here during the previous government, but I guess there were some great ones that were brought forward by that

government. It shouldn't be referred to as such. This bill deals only with education-related measures. It is a substantive housekeeping bill with three focuses: enhancing student performance, partnership based on respect—that's new in the schools since we became the government—and openness to the public.

On a number of occasions, the—

*Interjection.*

**Mr. McNeely:** Actually I was a teacher, but it's back 50 years ago, so I'm not going to get into my teaching abilities today.

The previous government combined unrelated and multi-ministry initiatives into one bill in order to hide certain negative aspects of a piece of legislation. That's not what we're doing here. With this bill go many measures to improve education in Ontario. The bill hides nothing and deals exclusively with positive education initiatives. The McGuinty government has made, and continues to make, incredible progress in the area of education. This bill will help make even more progress and will help our students to learn and accomplish even more in their classrooms.

**Mr. Norm Miller (Parry Sound–Muskoka):** It's my pleasure to add some comments to the speech from the member for Hamilton East on Bill 78, which is the Education Statute Law Amendment Act, 2006. The member for Renfrew–Nipissing–Pembroke earlier this afternoon brought up an issue that I would like to briefly talk about, and that is school buses and rural areas.

Earlier this week, we had the Ontario School Bus Association visiting Queen's Park. I met with some representatives, and they're very concerned with the lack of support for school buses and school bus drivers in the province. They've been neglected. They were just about finished working on a new funding formula for school buses when this government came to power three years ago, and that's disappeared. There have been no increases except for some very specific one-time funding increases; there hasn't been anything over the long term.

I have to ask: If you're in a rural area, who's the first person your child will see in the morning on their way to school? It's the bus driver. If you're not looking after those drivers well because the funding is not sufficient to be able to retain drivers and keep them happy in their job, then that's not a very good start to the day, or finish to the day, in terms of the children. I would say there are safety concerns as well when we're not funding those school buses properly. We need to pay attention to those school bus operators and address this problem, because it is becoming very critical, particularly in the rural areas around Ontario.

**Mr. Mario Sergio (York West):** I'd like to add a couple of words on the bill that is being discussed this afternoon. Of course, the member from Hamilton East is a very harsh defender of her community and she works very hard. I know she does a good job in the House in the readings of the bills and we much value the contribution she makes in the debate.

To deviate, because this is very educational as well, with respect to what has taken place in Italy Sunday and



yesterday, I should say that it's a very important time because we are looking at ways of changing our own electoral system here. Yesterday was the last day for voting in the election in Italy, and for the first time we have—

*Interjection.*

**Mr. Sergio:** This is important because we have for the first time, or they have given for the first time, the right to vote to Italian immigrants throughout the boundaries of North America, if you can believe it. Can you see North America as one region? I find that very hard to comprehend, but I would say, congratulations to the Italians for creating a wonderful mess, and congratulations to those who were elected, both to the Senate and the chamber.

I have to say, with respect to Bill 78, that since we've been elected, we have done a darned good job. I have to congratulate the Ministers of Education and the Premier for saying, "We've got to make some changes. We've got to get away from the cuts, chaos and confrontation." This will go a long way to bringing peace and contentment to the classroom.

1730

**Mr. Yakabuski:** It's a pleasure to comment on the speech by the member from Hamilton East. The one part I would concur in with the member from York West is that the member from Hamilton East is an excellent member and a hard worker, very diligent about bringing issues to the House and very passionate about the way she presents them. She was no less passionate about her problems with this bill today either.

Of course, from the member for Ottawa-Orléans you would think the bill is perfect, everything is just great. Everything this government seems to do is perfect. I would say it is more like what the member from York West said about the recent Italian elections: They've made quite a mess. This government makes a mess of just about everything.

The previous education minister hadn't really brought a substantive piece of legislation to this House in his two and a half, almost three, years as minister. He made all kinds of deals. He spent a lot of money. He bought the unions. He had no problem doing that with taxpayers' money. But he had not brought a substantive piece of legislation, and he wanted to use this to springboard his desire to be the federal Liberal leader. However, time being what it is—and it is what it is—he didn't get this bill passed in time. So now it's left to the new education minister and all those people who line up in rows to be complimentary of the government because they're told to do so, to see that we get this bill through this Legislature.

It is going to pass; make no mistake about it. We've got the desire and the will, and we believe we have the evidence, but unfortunately we don't have the numbers. This bill is going to pass. Like so many other bills this government has brought forward, this really is a further sellout of the people of Ontario.

**The Deputy Speaker:** Member for Hamilton East, you have two minutes to respond.

**Ms. Horwath:** I want to thank the members from Ottawa-Orléans, Parry Sound-Muskoka, York West and Renfrew-Nipissing-Pembroke for their comments.

I find it interesting, though, that the member from York West was talking about the Italian election. My partner is Italian, and of course he was sitting on the edge of his chair for the last couple of days wondering how that election was going to come forward.

The other thing that surprised me was the use of the words "harsh defender," and the responses from some of the Liberal members. From the perspective of a woman, being called harsh is obviously a critical comment, although I appreciate the comments from the member from Renfrew-Nipissing-Pembroke. "Authoritative, passionate and concerned" are all things that I think are appropriate language to use when you're describing the activities of a member when they are trying to inform other members of this House about the concerns they have in their community. Whether it has to do with education or any other matter that comes before this House, I think it's my obligation, and one I take seriously. If I get a little bit passionate, particularly when being heckled by some of the rump over here—it's probably their job to get me off my game—if my tone gets a little bit passionate, it's something that's required of me because I don't think it's funny when we're talking about programs and opportunities for aboriginal youth in our communities to be able to succeed at school. When people are making fun of those kinds of initiatives, I think it's a little bit inappropriate.

So I will continue to be authoritative in my language and passionate in my approach, because I think it's extremely important to bring that kind of vigour to the discussion and debate. I certainly think it's something the members who were heckling in the other benches need to take some consideration of, particularly when they use language—I don't think the member from York West particularly meant that word in a negative way, but I know the hecklers did.

**The Deputy Speaker:** This might be an appropriate time for those who are assembled here, and maybe those who are watching and those who read Hansard, to remind ourselves that the two-minute responses are not an opportunity to speak out on various subjects. The two-minute responds are supposed to be to the business that's before the House.

**Mr. Sergio:** I'll take that back.

**The Deputy Speaker:** No, not at all. Notwithstanding that they are well-intentioned, it's something we spoke of recently at a Speakers' meeting that perhaps we should be reminded of. Thank you.

Further debate?

**Mr. McNeely:** I don't think it's correct that any of us in this House heckled any of the comments that had to do with the needs of the aboriginal community. I'm sure that is important to all members of this Legislature, and that was not fact.

One of the things that I want to let the member from Pembroke etc. know is that I was a teacher. I taught in



Castleford for a year. I was 18 years old. That was an important part of my upbringing. I must say that the people of Castleford and Renfrew are great people. I still have friends up there—the Humphries boys whom I taught in school. They learned a great deal—eight grades in that school, 30 kids. It was my first year of teaching, so we had a great year in Castleford.

What I wanted to talk about today is the importance of this legislation and the importance of what this government has done to change the whole atmosphere in the schools in our province. I was at Orleans Wood public school the other day. I try to get into two or three schools a month. This was a grade 5 class in civics. Before it started, the teacher said, “Take a message back to the minister. Let them know that we really appreciate what they’re doing in schools. And especially, I just got my money for my new book supply. I haven’t bought them yet.” She was very thankful for that. The whole atmosphere in the schools that I see is a great atmosphere. It’s peace and stability. We’re concerned with student performance, teacher excellence, modernizing education, but there’s the respect for the teachers, parents, boards, trustees and students.

The trustees were put in the position—they were, I think, overruled with the public school board in the Ottawa area.

**Mr. Leal:** Eight years of dictatorship.

**Mr. McNeely:** They came in with a dictatorship and ran the system, and really hurt a great system. The arts were very important to the Ottawa school board. There were a lot of good programs in the school system. It was tough for the trustees; it was tough for the parents; it was tough for the teachers. Thank God that we’re through that situation. This bill is just going to make a lot of improvements that we need.

Included in this bill are measures that will revitalize the Ontario College of Teachers by increasing the number of teacher members on the governing council of the college by six. This comes to something that I spoke on before when it comes to engineers. We have 67,000 engineers in this province, and they’re supposed to be self-governing. That’s what I think the minister was trying to do. The benefits of a successful college to Ontario students should be obvious: highly skilled, motivated teachers who are held in high regard by the public at large. That’s so important. That’s where we’ve come to.

The self-governing nature of professions is also important. They will police themselves. They will do a good job. That’s where we’re going to.

Minister Kennedy told the delegates when he made that statement that student performance legislation also would add two additional professional activity days, bringing the total to six annually, “recognizing that teacher development is not just acquiring knowledge of teaching skills but sustaining motivation and innovation as well.” That’s so important. We have to get into programs that teachers—in any of the professions, they do it. It’s continual quality improvement. It’s extremely im-

portant that the teachers have the time, that they are going in that direction and becoming better teachers in better schools.

We have done a lot in that regard. We’ve lowered class sizes. We have long-term collective teacher agreements. That peace in the classroom is so important. Formal on-the-job learning is a second step in teachers’ professional development. Teacher performance appraisals improve teacher development. A revitalized college of teachers has the confidence of its members and the public and is de-politicized in its outlook. The trustee respect is very important too. That’s coming back. We’re going to have better trustees because they’re going to be able to have more authority and more decision-making powers.

1740

The changes in the education system are very obvious. Anyone who denies that is not going into the schools in this province. If you go into the schools, you know what the changes are; you know that the teachers are working in an environment that is going to give us much better education in this province.

**Teacher training:** This bill will revoke the ineffective Ontario teacher qualifying test introduced by the former government. It will be replacing the pen-and-paper test with mentors and classroom experience. In its place, we’ll introduce a positive second step for beginning teachers called the new teacher induction program. This will provide teachers with valuable in-class support during their challenging first year of practice and will create that atmosphere for those teachers to get confidence. That is much more important than trying to assess them after they’ve gotten into problems.

All these changes are very important to the province of Ontario and to the kids who are in the classrooms. They’re obvious if you go into your classrooms today. I really am supportive of this legislation and look forward to its passage in this Legislature.

**The Deputy Speaker:** Questions and comments?

**Mr. Tascona:** I’m very pleased to once again join in the debate here in response to the member from Ottawa—Orléans. I’m going to be speaking on this shortly, I believe, because there’s plenty of time to speak on this. Certainly the areas we’re talking about are fundamental changes in many ways with respect to how education is going to be handled in this province.

When you go through this in a cursory fashion, you don’t really pick up the nuances of the powers that are going to be with the minister. That’s one thing the member hasn’t spoken about. The minister has taken great powers and has imposed, “jointly and severally,” liability on individual board members—trustees, if you will—in terms of not following the orders of the minister. That’s something that has not really been spoken of. I’m going to mention it when I start speaking on it, because I think that’s pretty significant in terms of the liability that is now being imposed by the minister in terms of not following that person’s orders.

There is one other area that I’ve spoken about but not in great detail: the new teachers’ induction. I think that



for the principal who is going to be responsible for administering this act this will be a massive headache in terms of dealing with new teacher induction, new teacher performance appraisal and new teacher termination. There are some very interesting provisions in there with respect to the termination of a contract of a new teacher that are going to bring a lot of litigation regarding the handling of new teachers, be it induction, performance appraisal or termination. From a principal's point of view, it's certainly making the load heavier with respect to the enormous duties that principals already have in the system.

**Ms. Horwath:** It's my pleasure to have a few comments on the debate by the member from Ottawa-Orléans. I think he did a good job. He did his duty in terms of making sure the pieces of this bill that the government wants to have highlighted were brought to the fore in his debate. He took a couple of minutes to do that and did an admirable job in terms of bringing forward the issues that were his responsibility.

But I still believe that the bill itself could have done a lot of different things, and in fact has done some things that are not ones the government prefers to highlight. I can talk about them again, if you want. If people out there are not aware of my initial comments not too long ago, there are issues around what happens to the trustees if they don't follow the letter of the law, as it's brought down by the government, in terms of measures that they are now responsible for. The ramifications of not doing so are quite severe. There are also issues around the extent to which the performance of students is going to be affected by this bill as opposed to by a bill or by actions on behalf of this government that would address the problems with funding formulas, that would address the problems that school boards continue to have with the hiving off of dollars that are supposed to go to programs like ESL, like French immersion, like special needs, but are instead used to fill the gaps in funding that exist in the funding formula, in the construction formula, in the transportation formula and other salary gaps that exist that are endemic to the education system. Until those are addressed, the bill is simply not going to do what the government says it's going to do.

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I just wanted to comment briefly on the remarks made by the member from Ottawa-Orléans. I know I heard from one of the opposition members, the member from Renfrew-Nipissing-Pembroke, that Liberals don't want to speak to this bill. We want to speak to this bill. We also want to hear from the opposition. If we take up all our 20-minute time periods, then we're not going to allow you guys to have your time to speak, and I want to hear from Joe Tascona, the member from Barrie-Simcoe-Bradford. We're getting close to 6 o'clock, and if we used up all our 10 minutes, we wouldn't hear that.

**Mr. Yakabuski:** This isn't your last day here, is it, Lorenzo?

**Mr. Berardinetti:** No, it's not my last day here.

The bottom line is that this is Bill 78, and Bill 78 speaks to improving the education system in Ontario. I

think the member from Ottawa-Orléans made it clear in his speech that there are aspects in this bill that are clearly meant to improve the relationship with teachers and with this government. But the more important question and the more important issue and the more important substance here is the student. This bill—and I think the member from Ottawa-Orléans made it clear in his speech—improves the student and increases the student's performance. It allows for increased student performance. That's what our goal is.

You want to call this omnibus? Give me a break. When the Tories were in government, they introduced massive omnibus bills that basically destroyed Toronto. Did the Tories debate those bills? I don't think they did. We're debating them. We're willing to take this to committee. What kind of committee hearings did the Tories have when they dealt with that? So I'm proud of this bill. I'm proud it's going to go to committee, and I'm proud it's going to come back for third reading. We debate on third reading, unlike the Tories.

**Mr. Yakabuski:** I'd like to comment on the short address by the member for Ottawa-Orléans. The minister's office must be giving very short speaking notes these days to the Liberal members, because if this bill—and we have 20 minutes as a member to speak to this bill. He could only muster up seven minutes of speaking time on this bill. I can only assume—and I have talked about this bill clearly in my opportunities. If seven out of 20 is the best you can score on a bill, even in your teaching days, member for Ottawa-Orléans, seven out of 20 is not a passing grade. You're only giving it seven out of 20 minutes.

I suggest that if this is what the members of the Liberal caucus are willing to stand up and speak in support of, their ex-minister's bill—who, of course, has flown the coop and is now trolling for votes across the country. If that's the best they can do, they might want to send this back and get a rewrite, because I can tell you that when we have an opportunity to speak for 20 minutes on this bill, it's not enough time to articulate the problems and the oversights in this bill, simply because the ex-minister wanted to have something with his name on it before he left.

So I really have to ask the members of the government side: Seven minutes out of 20? Maybe eight? Maybe 10? You've got to show the new minister more support. If you really want to get this bill, you've got to show the new minister more support, or you have to clearly say, "Look, we don't really support this bill. We're being told to get out here and support it, but in fact we just wish you'd withdraw it and try again." If they're willing to take another look—

**The Deputy Speaker:** Questions and comments? The member for Ottawa-Orléans, you have two minutes to respond.

1750

**Mr. McNeely:** I'd like to thank the members for Barrie-Simcoe-Bradford, Hamilton East, Scarborough Southwest and Renfrew-Nipissing-Pembroke, although I



think that if he did speak on this bill for 20 minutes, the content was probably worth two and the bluster was 18. I felt I put good content into my seven minutes, and I hope the people here listened to that.

We have to look at this bill in the context of what it has done already to our schools. Minister Kennedy, who did an admirable job for two and a half years—this government has the confidence of teachers, has the confidence of parents, has the confidence of the school kids and has the confidence of the trustees. This province is moving ahead with not all that pointing that occurred over so many years, where the teachers in the system were the culprits. They were professionals who were bullied for six, seven or eight years. We've got a new era in our schools. It's great, it's the way to go—

*Interjections.*

**The Deputy Speaker:** The member for Renfrew–Nipissing–Pembroke.

**Mr. McNeely:** It's a great way to go. We only have to go into those schools today. I said that before and I'll say it again: The proof is in every school in this province.

We've had complaining about the investments from the member for Hamilton East. Those investments are in the school system. They're showing up in the school system. The teachers are telling us that they're there. We are absolutely on the right path. The new minister, who has great experience in this House, whom our caucus has great confidence in, is going to take up the good work that Gerard Kennedy has done over the last two and a half years. We're on the right track. Our schools will be better. This province and our kids will be much better for it.

**The Deputy Speaker:** Further debate.

**Mr. Tascona:** I'm very pleased to join in the debate with respect to Bill 78. As I indicated earlier, in a way this is a bit of legislative drafting in terms of how you change the standards or how you weaken the standards. I'll give you a case in point.

In the bill, there used to be a statutory provision which indicated what the class size had to be. That has been changed now. They've repealed the statutory provision and now have given the minister the powers, under regulation, to determine the class size. In essence, the minister is actually using his powers even more broadly than was previously in the bill, in terms of determining how they're going to determine class size and what that will mean. In terms of legislative drafting, there really isn't any change, other than the fact that the ministers have actually given themselves more power with respect to dealing with class sizes.

As I indicated before, one area which I think has to be subject to public hearings, when we get there, is this information on collection of personal information. They've added a new section to the Education Act which allows a minister to "collect, directly or indirectly, such personal information as is ... necessary for purposes related to,

"(a) administering this act and the regulations ...

"(b) ensuring compliance with this act, the regulations ...

"(c) planning or delivering programs or services that the ministry provides or funds ...

"(d) risk management ...

"(e) research and statistical activities conducted by or on behalf of the ministry."

That's an area that we really need to flesh out in terms of what that really means, what they're trying to accomplish with respect to collecting personal information, because there is a proviso in there that also deals with required or authorized disclosure under the freedom of information and privacy acts where they're giving sort of deemed consent where that's dealt with with respect to certain institutions. That's a very fundamental change and, as I indicated before, also there's a fundamental change in terms of failure to follow ministerial orders. They deal with joint and civil liability for members of the board. I want to cite that particular provision. It basically says:

"Personal liability of members of boards

"(3) If a board that is subject to an order made under subsection 230.3(2) applies any of its funds otherwise than as the minister orders or authorizes, the members of the board who voted for the application are jointly and severally liable for the amount so applied, which may be recovered in a court of competent jurisdiction."

That's a fairly broad section, but it definitely gives the minister some real power in dealing with members of the board who don't follow an order or what the minister has authorized with respect to the allocation of funds. I wouldn't call it a punitive measure, but certainly it is a measure that deals with allocation-of-funding liability for members of the board that wasn't there before. That's a new provision. If I was a member of the board, I would be asking, "What do you mean there? You're saying I'm jointly and severally liable for something you authorized that I fundamentally don't agree with, or that you ordered, which may have happened after the fact and which I didn't know about before I voted."

Members of the board may have been given a carrot with respect to, "We're going to give you some more money, because we're giving the minister authority under the regulation powers to give you some more money," but at the same time, "If you don't follow what I want to do, you're going to be jointly and severally liable," which to me is a measure that I think board members are going to have to look at very closely.

One other aspect that I want to comment on before our time is over is the headache that principals are being given with respect to new teachers. I do not know why they are going into such detail with respect to new teacher induction, new teacher performance appraisal and new teacher termination. I think that's something that has to be looked at in terms of how principals can handle that and what they're trying to accomplish with respect to new teachers, because it doesn't apply to other teachers who are currently in the system with respect to education. That's an area that really has to be dealt with in terms of what you're trying to accomplish with bringing new people into the profession. If I was a new teacher and I



was looking at all the powers they're going to have over me with respect to how I'm going to teach and their powers of termination, I'd be a little bit concerned with how they're going to deal with my employment and my prospects for career advancement in that area.

In this bill there is also information with respect to student trustees, once again giving the minister power to make regulations. What we're dealing with here is a bill that is essentially giving regulation power to the minister to deal with a lot of areas. Instead of just saying, "Okay, here's how we're going to deal with it," the minister is giving himself regulation power to deal with a lot of different areas. That's fine and dandy, but the problem with regulations is that they're not subject to the scrutiny of the House. The minister is able to do things we would never know about unless we were reading about them in the Ontario Gazette. I don't think it's good for democracy that you can do things that will change class sizes, do things with student trustees, new teachers, existing trustees and other areas of this bill that you want to deal with, and you deal with it through regulation. I think that's an area that is getting away from the House in terms of our scrutiny and how we want to deal with

education. It's something that's obviously going to be pointed out when we deal with this in the public hearings that are going to happen.

One of the areas I mentioned that I have real concerns about is this new teacher induction and also the rating of teachers. I'm also concerned with respect to this personal information. I don't know what we're trying to accomplish here in terms of what the minister is really about. I think it's important that we find out what that minister wants with that information, because I believe that if it's basically to do profiling or some other statistics gathering exercise to set out an education agenda with respect to what the minister wants to do, I don't think that's in the best interests of the public education system, though the minister is given broad powers with respect to making regulations re the provincial interest in a number of different areas I can go through in terms of what the minister wants to do.

**The Deputy Speaker:** We have reached the time of 6 of the clock. This House is adjourned until 6:45 of the clock.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*



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No. 58B

N° 58B

ISSN 1180-2987

## Legislative Assembly of Ontario

Second Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 11 April 2006

Mardi 11 avril 2006

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 11 April 2006

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 11 avril 2006

*The House met at 1845.*

## ORDERS OF THE DAY

### ACCESS TO JUSTICE ACT, 2006

#### LOI DE 2006 SUR L'ACCÈS À LA JUSTICE

Resuming the debate adjourned on April 5, 2006, on the motion for second reading of Bill 14, An Act to promote access to justice by amending or repealing various Acts and by enacting the Legislation Act, 2005 / Projet de loi 14, Loi visant à promouvoir l'accès à la justice en modifiant ou abrogeant diverses lois et en édictant la Loi de 2005 sur la législation.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Norm Miller (Parry Sound–Muskoka):** It's my pleasure this evening to join the debate on Bill 14, An Act to promote access to justice by amending or repealing various Acts and by enacting the Legislation Act, 2005.

For those watching, this is an omnibus bill that deals, among other things, with regulating paralegals, reforming the justices of the peace system and providing alternatives to provincial offences court for resolving municipal bylaw disputes such as parking infractions. It also allows police officers to testify in court via electronic means for provincial offences, and allows for the extension of limitation periods.

I would say at the outset that it's too bad it is an omnibus bill. I think it would be better if some of the sections were dealt with in separate bills, because it would be easier for us to decide if we're completely in favour of or against the bill.

Starting with the section on paralegals, I think we would all agree, and paralegals would agree, that it makes sense to have a regulatory body and that the benefit of that would be to protect consumers and enhance the professionalism of paralegals. But I note that there are differences of opinion among the Professional Paralegal Association of Ontario and law society lawyers as to the best way of going about this.

The law proposes that paralegals will be regulated by the law society, and the professional paralegal association prefers self-governance. In fact, two major studies commissioned by the Ontario government rejected the regulation of paralegals by the law society, and the law

society itself acknowledged the potential for conflict of interest, because of course paralegals compete with lawyers.

I have received a couple of pieces of correspondence to do with this very conflict, and I'd like to give the different perspectives. First of all, a lawyer from my riding, Diane van de Valk, writing about Bill 14, says:

"I am a member of the Law Society of Upper Canada (LSUC) and the Ontario Bar Association. I share the concerns raised by the Ontario Bar Association regarding Bill 14, schedule C."

I've got those concerns, and I'll bring them up in a minute.

"In particular, I am of the view that:

"—Paralegals should be called 'paralegals;' the issuance of two types of licences, one to those who 'provide legal services' and the other to those who 'practise law,' will cause public confusion;

"—Transparency and public accountability require that the government define the legal services paralegals can and cannot offer; LSUC should not be charged with this responsibility; and

"—Transparency and public accountability also require that the government specify which groups of professionals (e.g. mediators, trustees in bankruptcy, etc.) require licensing and which should be exempt; LSUC should not be charged with this responsibility."

That was from Diane van de Valk, from Bracebridge, Ontario, raising some concerns from the perspective of a lawyer in the bar association.

**1850**

I also received, from a paralegal, concerns about the bill from a different angle:

"We urgently need your support to defeat Bill 14 (Access to Justice Act, 2005) with respect to, in particular, the regulation of paralegals in Ontario."

I'll just highlight a couple of sections of this e-mail I received.

"It is abundantly clear that one of the underlying benefits for having paralegals regulated by lawyers is that they will be able to get rid of or, at the very least, minimize their competition." There's that conflict I was talking about.

"Most paralegals in Ontario absolutely agree with the Attorney General and the law society that our profession should be regulated, that paralegals should take prescribed paralegal courses and should pass licensing exams and be covered by professional liability insurance ... but we want to be regulated by our own profession-specific

regulators, not by the law society. The law society looks upon paralegals as unwanted competition and will, no doubt, try to regulate paralegals to the best interests of lawyers in Ontario and not necessarily the best interests of the public."

She goes on to say, "Lawyers, doctors, dentists, architects and engineers are regulated by their own profession-specific regulators. Paralegals want the same thing. We are capable of regulating ourselves. We all know that it is time for paralegals to be regulated in Ontario, but not by the law society."

Donna Kubota, president of Solutions Corporate Paralegals, wrote me that. So two very different perspectives on how this should be achieved.

I only have a short time to speak to this, this evening, so I want to go to the justices of the peace part of the bill. There has been a real shortage of justices of the peace. This bill would move toward changing the way justices of the peace are appointed. I would say it's a real shame that in the three years the government has been in office, they have not appointed more justices of the peace, that they've taken so much time. I point out that in the region of Niagara in 2005, 58 court days were scheduled for closure between January and August. In Waterloo region, 75% of intake court dates were cancelled. The city of Hamilton's court calendar for the first eight months of 2005 showed half- and full-day closures and eliminated 125 days of court time. So obviously the government has taken its time in bringing this bill forward, and we've seen justice not served by this delay.

I do feel that there can be some improvement in the way justices of the peace are appointed with this bill. Some minimum qualifications should be established for justices of the peace, such as a university degree, comparable college diploma or 10 years of pertinent service.

There are many questions that arise from the bill as well. The bill would change it so that there would no longer be non-presiding justices of the peace. Is that a good thing or not? Courts would be authorized to establish a code of conduct for justices of the peace. I think that is a positive thing.

On a related matter, an issue that I would like to raise from the district of Muskoka to do with justice is the OPP staff complement in the district of Muskoka. I note that the district chairman, Gord Adams, has recently written to the Honourable Michael Bryant, Ministry of the Attorney General, to do with the OPP staff complement in Muskoka. We've heard from the government—I think they've announced several times—that they've hired 1,000 new police officers in Ontario. If that's the case, I don't know why, on January 4, 2006, it was necessary for the chair of the district of Muskoka to be writing, asking that the OPP staff complement be increased. He's talking about provincial offences court and the need for additional police security:

"In particular, Muskoka is in the position of having to bear the cost of paid duty officers in order to provide adequate security during early resolution and first attendance courts. The lack of adequate OPP resources in Muskoka

is the cause of this situation, thus shifting provincial costs from the province to the district of Muskoka.

"There has been considerable media coverage of provincial government announcements increasing the number of police officers throughout Ontario. I understand that no additional officers have yet been placed in Muskoka. Therefore, I have been asked to contact you, Minister, and inquire when the OPP staff complement will be reviewed in the detachments covering Muskoka."

I think that's an excellent point. As I say, it seems to have been announced many times that these 1,000 police officers have been hired, and yet Muskoka has not seen any of them, and the district chairman is forced to write a letter to inquire about where, in fact, these officers are.

I actually thought I was going to have 20 minutes, so I had a lot of other things I wanted to talk about, including tow trucks. The member for Niagara Centre brought up tow trucks in question period today. I have a whole report here by the Ontario Recovery Group on the need for regulations for tow truck operators on our highways, particularly on the 401 and the major highways where we have chasers out there, we have no regulations, no training, and it's not a safe situation. I wish I had another 10 minutes to continue talking about it, but I'm sure that the member from Hamilton, in her two-minute response, will comment about this.

I also wanted to talk about all the good work that the leader of the official opposition, John Tory, has put into youth violence and the report that he put together with a lot of thought to help deal with that problem.

This bill definitely needs to go to committee, and we look forward to getting lots of public input at committee.

**The Deputy Speaker:** Questions and comments.

**Mr. Peter Kormos (Niagara Centre):** In around eight minutes' time, Ms. Andrea Horwath, the member for Hamilton East, is going to be speaking to this bill on behalf of New Democrats. I anticipate somewhat confidently that this bill is going to be put to second reading vote this evening. What that means is that the next stage inevitably has to be—has to be, has to be—committee. There's no two ways about it.

To put that in a time frame: Here we are in mid-April. I suspect that the committee to which the bill is assigned will be meeting in subcommittee over the course of the next week or so. I suspect that committee will be sitting here in Toronto during the month of May, listening to submissions; could do it well into June, because of course we're scheduled to sit, the House calendar schedules us to sit, until June 22. With a reasonable period of third reading debate, I expect that this bill, should it survive committee—because it may not be reported back by the majority of committee members—and, should the government be interested in calling it for third reading—because, you see, it's all up to the government.

I pleaded with the Attorney General back last spring, saying, "Introduce the paralegal bill. We can work with it during the summer months." Yes, during the summer months. That's how long ago it was. I had the law society



calling me every day. I said, "Look, I'm doing the best I can, but the government is dragging its heels."

Regrettably, when they came up with this omnibus bill, they muddled the waters. It would have been oh, so much more preferable to have had the paralegal regulatory scheme stand alone so we could deal with that. Rather, we've got some rather sloppy efforts here—it could be fixed in committee—to reform the JP appointment system, and Lord knows it needs reforming, and some horrendous amendments to the Provincial Offences Act. I'm looking forward to that committee, Speaker. I hope you're looking forward to Ms. Horwath.

**The Deputy Speaker:** Questions and comments. I think the member for Durham was up first.

**Mr. John O'Toole (Durham):** The member for Parry Sound–Muskoka mentions a part that's extremely important to all of us. It's the section dealing with the law society and the jurisdiction. More importantly, I have to put on the record here, and the member for Parry Sound–Muskoka did mention this, that under these proposed amendments the law society "would let society officials disclose information on bad lawyers if"—that's the key operative word, "if"—"there is a significant risk of harm to a person," said a spokesperson for Attorney General Michael Bryant." Who's going to interpret if and when these things are disclosed on bad lawyers?

I've read petitions in the House, and that's why this is so pertinent to all of us. This petition that I'm holding up here is actually one I've read a couple of times. What it's calling for is: "The undersigned ask the Honourable Michael Bryant, Attorney General, for his in-depth investigation of the Ontario judicial system and to make the public aware of his findings immediately."

1900

What it says here in this particular transcript is that Mr. Tory, who's a lawyer, said that "Bryant must toughen his proposal so it 'requires' the society to pass information to police. Tory also said Ontario has some of the best white-collar crime investigators in its police departments, but 'we just don't have enough of them."

"'Fraud is fraud and theft is theft'...."

"Yesterday, the Star revealed that lawyers who steal thousands—even millions—of dollars from clients rarely go to jail."

That's the issue here. This bill doesn't go nearly far enough in empowering the law society to actually make sure someone who is involved with fraud or theft pays the price. The law society seems to have the provision to protect them. They are a self-regulating profession and, as such, the disciplinary function of the law society takes precedence. They discipline them by suspending their licences for a few months, whereas the victims are the ones we're really talking about here tonight. This bill doesn't protect them.

**Ms. Andrea Horwath (Hamilton East):** It's my pleasure to make a few comments on the debate tonight by the member for Parry Sound–Muskoka, and I have to say I agree with him. He raised a number of very salient issues when it comes to the pieces of Bill 14 that are

piled on top of each other, because it is an omnibus bill and I'm going to be talking about that a little bit further along this evening.

I think he raised a number of important issues around justices of the peace, around paralegals, around a number of other things that are of concern. Not dissimilar from my friend and colleague from Niagara Centre, Mr. Kormos, I also look forward to the opportunity to hear what people have to say when this bill goes into committee and has the opportunity to be discussed by people from the public who are concerned about all the elements of Bill 14.

**Mr. Kormos:** How do people get to appear before the committee?

**Ms. Horwath:** People get to appear before the committee when the government decides to actually put it on a committee agenda and have that issue come up at committee and then go to a public hearing process as part of the committee process. Public hearings are advertised and you can actually go on the Internet, you can tune in to the legislative channel and you can call up the Clerk's office and find out exactly which bills are in the public process right now.

So for anybody who is considering an interest in Bill 14, whether you're a paralegal, whether you're someone who wants to become a justice of the peace or whether you are someone who is just concerned about your rights and about the way the Attorney General is suggesting that perhaps the way evidence is presented might affect your ability to get a fair trial, these are all things that are in the public interest. So I encourage people who are interested in Bill 14—and there should be many people interested in it—to come and speak to the legislators who sit around here, particularly the government members, because ultimately the shape Bill 14 takes at the end of the process—it will be the obligation of the government to hear what people have to say and make the appropriate changes.

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** I've enjoyed the presentation of the member for Parry Sound–Muskoka. He was about to talk about the tow truck industry in those cases where—I assume he was going to make mention of the infiltration of organized crime in the tow truck industry, which I think is quite appropriate when we're debating the justice act.

I'm concerned about delayed access to courts. Given the recent incident of a day or so ago, I'm very concerned about the impact of organized crime essentially on our economy. There's an underground economy there obviously involving drugs and prostitution. I'm very concerned about where this province is heading.

Six years ago we did not have the Hells Angels in Ontario. There were crackdowns over the years, as I recall, and four years ago, I think in 2002, the previous government cracked down, virtually eliminating the Outlaws motorcycle gang. In my view, the end result of that was to indirectly strengthen the organization of the Hells Angels.

Very recently we have seen the elimination of eight members associated with another gang known as the



Bandidos. I don't know much about them at all. I haven't been keeping count, but it suggests to me that inadvertently, with either police crackdowns or enforcement within other non-Hells Angels organizations, we now have something approaching a pure monopoly with respect to the Hells Angels motorcycle gang in Ontario. Whether this legislation does anything about that—if not, everything has to be thrown at this particular problem.

**The Deputy Speaker:** The member for Parry Sound—Muskoka has two minutes to respond.

**Mr. Miller:** Thank you for the comments from the members for Niagara Centre, Hamilton East, Durham and Haldimand—Norfolk—Brant. Certainly the member from Niagara Centre stated correctly that this omnibus bill muddies the waters—I think that's the term he used—because there is the paralegal issue, the justices of the peace issue and others. It would be better if they were separate bills. I raised concerns both from the Ontario Bar Association and from paralegals. I do believe this bill needs to go to committee to get full public input.

The member from Haldimand—Norfolk—Brant brought up the situation with tow truck drivers and organized crime, making some connections there. Of course, we had that awful incident this week with bike gangs. I bring up tow truck operators just from the perspective of the need for more regulation for safety and for incident management in the province, especially on the major highways. I note that the Ontario Recovery Group has started a new head office for Ontario in the town of Bracebridge, in Muskoka, and that Doug Nelson, formerly of Northland Truck Centre, is the new president of that group. They've put a comprehensive incident management package together with many suggestions for the training of tow truck drivers, for regulations on the major highways, for all the qualifications they should have, like proper insurance, communications, training—all the various things that go into this to make our highways safer, to deal with incident management and to make the industry more professional. I really do believe that the government should be listening to groups like the Ontario Recovery Group and bringing in some regulations to improve the tow truck industry in the province of Ontario.

I look forward to Bill 14 being referred to committee so that all sides on the issues can have time to make comment.

**The Deputy Speaker:** Further debate?

**Ms. Horwath:** It's my pleasure to have a few comments about Bill 14, An Act to promote access to justice by amending or repealing various Acts and by enacting the Legislation Act, 2005. I have to say, right off the hop, that this bill is one of those omnibus bills. It's one of those bills that's got a heck of a lot of stuff in it.

Interestingly enough, a couple of issues came up in my own community and other communities, particularly around justices of the peace. Of course, the minister talked about how this bill was coming and it was going to solve the problem. I'm going to get to that a little bit later on. But it's also about paralegals; it's also about

evidence; it's also about a number of other issues that are all piled into this bill.

Funny that, earlier tonight and at this evening session I've been in this House, both bills I've been debating, both bills I've been speaking in regard to on behalf of New Democrats, are omnibus bills. So I thought it was really important to remind the people on that side of the House, remind the Liberals, what they used to say about omnibus legislation because, interestingly enough, the legislation that we were debating at the earlier session, Bill 78, was an omnibus piece of legislation. In fact, members of the Liberal caucus defended their perspective on that piece of legislation, Bill 78, as an omnibus bill. Here we are again but 45 minutes later talking about another omnibus piece of legislation, Bill 14.

Here's something that I think is important for people to remember on that side if they were here at the time, and if they weren't, it should be something that you take note of and maybe discuss in your caucus meeting. This is a quote. This is a phrase or a caption that was spoken by no other than Steve Peters on October 23, 2002. Here's what Minister Peters had to say:

"Another famous trademark of the Harris government, unfortunately, is going to be their unrelenting support for omnibus legislation. It's a bill that's in front of us this evening which talks about efficiency, but I don't think it's in the interests of the taxpayers of Ontario, whom all 103 of us here represent this evening. I don't think that the taxpayers of Ontario are looking at us to be efficient in the manner of ramming through omnibus legislation.... It's not responsible, it's not efficient to deal with them in the manner of an omnibus bill."

**1910**

Well, we had an omnibus bill in education. Now we're having an omnibus bill in nothing other than access to justice, which in itself is kind of an oxymoron. Access to justice, omnibus bill; ramming something through, access to justice—somehow those two things don't seem to match, in my mind anyway. Interestingly enough, the government is happy to bring all of these pieces forward in an omnibus format, which causes us no amount of trouble, particularly on the opposition benches. There might be things that we think need to rise to the top in terms of priority and we would be happy to move forward on, but of course because the government decides to wrap these things up in omnibus bills, it causes us to have to take pause, drags out the process and doesn't really serve anybody's interest very well at all.

As I said earlier tonight in regard to education, similarly with this justice bill, the bottom line is that the government likes to talk its own talk, but when it comes to how they're acting, they act a heck of a lot like the government we had before them, the Harris government, notwithstanding their protestations to the opposite. They say, "Trust us. Trust us. We're going to take care of all the problems that we had with the previous government," but when push comes to shove and they're the ones doing the legislation around here, when they're the ones bringing issues forward, they happen to be walking in the



same footsteps as the government before them, and that's a travesty, in my opinion, for the people of Ontario.

Having said that, there are a couple of issues that I think are of extreme importance and need to be once again put on the record. They have been raised by our very able and very wise critic in this area, a very experienced member of this House, the member from Niagara Centre, Peter Kormos. He has brought forward a number of the important issues of this bill on behalf of New Democrats. I'm simply here to amplify those concerns and to bring some of my own perspective from my own experience, short and brief as it may be in relation to the member of whom I speak. But nonetheless, it is important to acknowledge that not only do members who have a lot of experience in this House have issues from their own communities and their own experience, but even those of us newbies here also have some pieces to bring to the discussion.

One of those is the issue around evidence. If you happen to read the Hansards, if you want to understand some of the criticisms that are coming forward around this bill or at least some of the concerns, one of the ones that our critic raised so appropriately was the issue around the Occupational Health and Safety Act in regard to the extent to which offences under pieces of legislation and laws that exist right now, like the Occupational Health and Safety Act and the Highway Traffic Act, and the extent to which the people who are affected by breaches of those pieces of legislation—those rights—are not able, in the context of this bill as it sits, to have the opportunity to face the people who have broken those laws and negatively affected their lives.

I think about a particular case in Hamilton, an industrial city, where a worker was injured severely in an occupational accident when he was cleaning out a tank on the waterfront. Unfortunately, because of a lack of safety equipment and because of inappropriate regulations in the workplace—practices around accessing these tanks—a fire ensued and the entire tank became a fireball. This gentleman was burned severely and to this day is unable to work and unable to pick up the pieces of his life. Unfortunately, ministry officials decided not to continue with this particular case. I raised it in the Legislature and I'm very disappointed by it. Had it gone forward, at least Tom Gall would have had an opportunity to sit across the table or to sit in a courtroom and stare down those employers he knew had put his life at risk by breaching the regulations of the Occupational Health and Safety Act.

Bill 14 erodes the ability of people to confront the various people, whether it be employers, whether it be in a traffic situation, for example, whether it be police—everybody makes mistakes, so maybe police inappropriately charge somebody under the Highway Traffic Act. But what this bill does is creates a situation through procedures where people do not have a basic opportunity to confront the person who has caused them wrong.

There are a number of other issues that I wanted to talk about, particularly the issue around justices of the

peace. I have to tell you that the Attorney General has been very long on talk around access to justice in this bill and otherwise. In my community we had—and people will remember this—a number of tenants who were extremely wrongly done by by their landlord, who had their heat and their hydro turned off, notwithstanding the fact that they had been paying for those utilities in their rents. After a couple of years of the same kind of problems, they eventually brought charges against their landlord under the Tenant Protection Act for withdrawal of vital services. Unfortunately, these events took place over the last year and the year before that, and one of the things that became very clear to them was that they weren't even going to see any justice. Why weren't they going to see any justice? Well, they might; I shouldn't say they weren't going to see "any" justice. Their case, apparently, will eventually be heard in February 2007, when the landlord will be appearing on the provincial charges in court.

And why is that the case? That is the case because the Attorney General's office has not staffed up the provincial courts at appropriate levels with justices of the peace and with the requirements that need to be there for people to have timely access to justice. Unfortunately, these particular tenants have gone through a nightmare to try to get their issues addressed through a horrible Tenant Protection Act. And don't get me started on that, this government's promise to overhaul the so-called Tenant Protection Act and bring in new tenant legislation. We haven't seen that either. Notwithstanding that, the justices of the peace are still not being addressed, and they could have been addressed. In fact, they could be addressed right now. The understaffing of the provincial courts could be addressed right now, just like it could have been addressed six months ago and just like, when this bill eventually passes, it can be addressed. The bottom line is that the Attorney General really doesn't have an interest in access to justice unless he's prepared to deal with the fact that we have severe backlogs in our courts.

One last thing is the issue of the paralegals. I know there are lots of people who are concerned about that. We want to make sure that through the public hearings process we further define issues of things like scope of practice, definitions of practice of law. We have to worry about people like workers' advocates. All of those things will be addressed, I hope, in the hearings process.

**The Deputy Speaker:** Questions and comments?

**Mr. O'Toole:** The member for Hamilton East, as an advocate, certainly brought up a couple of specific access-to-justice issues, whether it's in the tribunal system or the courts themselves, and the old saying of "Justice delayed is justice denied."

Really, if you look at this bill, its intent and purpose—if you read this omnibus bill, it's a tragedy in that much of it is acceptable, I think, certainly to our leader, John Tory. Once again it's the obsequious nature, if that's permitted, in the way they've wrapped this into bills that we know we would probably embrace and endorse to improve access through JPs and other disclosure mechan-



isms, but it does anything but improve access to justice. There's nothing in here to eliminate any red tape or filing for such things as court time and other administrative matters. The administration of justice part of the bill is rather weak.

But I had seriously listened to the debate by our critic, Bob Runciman. He felt, and I'm going to read here from Hansard: "Finally, I want to mention the inclusion of paralegal legislation in this omnibus bill. It's truly regrettable." In fact, he was really talking about the whole democratic renewal debate here, the Dalton promise that we're all going to be much more compatible with one another and try to get the right things done expeditiously and spend more time on the things that are driving other policies where we may disagree. But he said, "The minister made a commitment to our leader that he would share that legislation before tabling it in this House," and if this was a true commitment to democratic renewal, then we would have seen it here in the bill. So it's one more case of promises made and not kept. It's justice delayed in the concept of this bill. There's some controversy with the way it's been wrapped together with a number of issues. In fact, as the member for Hamilton East said, it's rather a complex bill. It amends a number of portions of the statutes of Ontario today that are going to be problematic.

So I hope it's going to have public hearings, but I'm just wondering what the government is prepared to do in terms of listening.

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**Mr. Kormos:** I find it remarkable that Liberal members here this evening, perhaps in their eagerness to get home, don't even want to participate in questions and comments, never mind in the debate. It's truly amazing that they would squeal at 1:40 in the afternoon about evening sittings, yet by 7:30 they're nowhere to be seen. They've skeddaddled; they've vamoosed; they've abandoned the joint. It's just truly remarkable that on a bill the Liberals insist is so important, and we regard it as such, they wouldn't be more enthusiastic about participating in the debate.

I had occasion the other day—we were doing Bill 56, the Solicitor General's bill—to commend the Minister of Community Safety and Correctional Services, Mr. Kwinter, for being in the chamber to hear the debate around his bill. That's what being a minister involves. That's your job. You're the steward of that bill through the course of second reading debate, through committee and through third reading. I understand that ministers, and they truly do have busy jobs, can't always be there. That's why the parliamentary assistant is there.

I was fortunate enough to be here a sufficient number of years ago when it was considered the norm for the minister or, in his or her stead, the parliamentary assistant—that's why you got well-paid parliamentary assistants—to sit with the bill, to monitor and steward the bill through the Legislature. It demonstrates a real disregard, on the part of this government, its Premier and, quite frankly, its Attorney General, for all of the big talk

about transparency and democratic reform, not to see that stewardship with respect to Bill 14.

**Mr. Bob Delaney (Mississauga West):** It's always a pleasure to follow the member for Niagara Centre and to pass some comments on—

**Mr. Kormos:** Bob, I've got 20 minutes coming.

**Mr. Delaney:** The member for Niagara Centre reminds me that he's got 20 minutes coming.

It's a pleasure to join in the debate on behalf of the government on a bill that does a lot of very important things. This is the Access to Justice Act. One of the things this bill does, and does very well, is something that Ontario really needs: some sort of framework to regulate the practice of paralegal work. We all use paralegals in business. There are a lot of people who may be retired lawyers or non-practising lawyers who have a narrow specialty in drafting specific types of contracts, any number of other such things that amount to legal work that isn't done by lawyers *per se*. This is what this bill does, and does very effectively, to provide some level of consumer protection and a regulatory framework for people who practise what's called paralegal work.

I was talking about paralegal work earlier with my colleague from Parry Sound–Muskoka. We both agree that paralegals really don't represent lawyers who jump out of planes with parachutes on. But for paralegal work, the Attorney General and the ministry have consulted extensively on this bill with the number of people they've met with and the discussions they've had with the bar, the business community and the consumer protection groups. If nothing else, the benefits that the public gains, that consumers gain and that people who practise paralegal work gain all make this particular bill, Bill 14, worthy of being passed expeditiously and dealt with by this Legislature.

**The Deputy Speaker:** Questions and comments. The member for—no, the member for Durham has spoken.

*Interjection.*

**The Deputy Speaker:** No, you cannot do it twice. Questions and comments?

The member for Hamilton East has two minutes to respond.

**Ms. Horwath:** I want to thank the member from Durham and the member from Mississauga West for their comments.

The issue that I think is really important when you're talking about access to justice is the extent to which people actually have access to justice. It seems like a pretty basic issue. But I thought it was important to read into the record a reality check from the city of Hamilton. This is from an article from the Hamilton Spectator, October 27, 2005, and it says this:

"A shortage of justices of the peace in Hamilton has backed up provincial offences courts for months. One of three courts assigned to handle provincial charges won't use its allotted 60 days because of a shortage of staff." It also indicates in the article that our mayor of the city of Hamilton, Larry Di Ianni, was seeking the Attorney General's help to try to get more JPs in Hamilton because



"The city is losing money in uncollected fines." We know that cities are already hard-pressed, particularly Hamilton, in regard to the pressures of downloading and social services costs particularly. Anything that prevents them from making sure that the fines are paid is problematic.

Another issue that has come up: Salter Hayden, who is one of our clerks at the city of Hamilton, and myself are both quoted in this article as being concerned that "courts will end up dismissing cases in Charter of Rights and Freedoms challenges due to unreasonable delays"—Askov-type issues.

The bottom line is that although these problems exist in the city of Hamilton, there's nothing that prevents the Attorney General from solving these problems right now. We don't have to wait for Bill 14. That's the bottom line. He's got the power to clear up this backlog now. He's not doing it. Yes, I look forward to the second reading committee process, which will get to the nub of some of the issues around the regulation of paralegals, but the bottom line is that justices of the peace need to be dealt with and they need to be dealt with now.

**The Deputy Speaker:** Further debate? Does any other member wish to speak?

**Mr. O'Toole:** This is one case where the Liberals seem to be reluctant to address this Bill 14. The opposition and the third party have tried to bring some concerns to the debate, with very little response—reluctance, actually. It might be said that they're unwilling.

I should put some context around Bill 14. It has been said many times that this bill—a very large, complex bill—deals with things that, if you're not a lawyer, are probably a foreign language to start with. It is couched in those kinds of terms, and it makes it difficult for ordinary members of this Legislature to respond to—without full debate, and that's what the people of Ontario expect from us here.

If I go through my own particular background on this thing, this bill has schedule A basically dealing with the amendments to the Courts of Justice Act; schedule B is dealing with—what the heck is it dealing with here? Section C is the amendments to the Law Society Act. In my two minutes I briefly spoke on that. Schedule D amends the Limitations Act. That's the statute of limitations and is not often referred to in the general public, but it does affect liability and insurance issues. Schedule E, amendments to the Provincial Offences Act: I have some comments on that.

Actually, what they're doing in the Provincial Offences Act: The alternative mechanisms allow municipalities to address disputes arising from bylaw infractions such as parking tickets. In many cases there's just no court time. It goes back to the JP issue of enough court time. Court witnesses would be—this is something the police and others have commented on: being able to testify by video conference or telephone conference or other electronic means. These are the questions that the public need to have that right—face to face, the victim and the perpetrator. These are the kinds of things that, the way the court

systems work, they may be slow, but what's missing here, why they're slow, it's that there are just not enough resources.

If I look to some of the independent comments in some of the media, some would say the media precipitated this bill being introduced. In fact, it was introduced on October 27, 2005. We're rapidly moving forward to this thing sitting in the cooker for a year. But there was an article here which I felt was quite good. The member from Hamilton East spoke, and this came from the Hamilton Spectator, so she may be familiar with it. The headline is quite funny; it's quite catchy. It says, "Minister Guilty of Speeding?" What they're saying here is, "But what happens when the courts get jammed up"—filled—"by people fighting minor traffic violations such as speeding tickets?"

"As it turns out," many "walk away without" ever receiving a single "fine or demerit points. Not because they are innocent, nor because they had skilful legal representation.

"Regrettably, in thousands of cases across the province charges are withdrawn simply because the police officers didn't show up.

"Toronto police say an incredible 63% of its officers scheduled for traffic court never make it." In other words, all those tickets you get on the windshield: Make a court date, don't pay the fine, and chances are it will be thrown out and there will be no penalties of any sort.

"Toronto appears to have a particularly serious problem with officers being busy with other things...." It could have to do with the 1,000 police officers that were promised and the onerous duties that Minister Kwinter is putting on them and not providing front-line services. There are diminishing supply and diminishing resources.

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We hear it over and over again: We're paying more and getting less. But it's evident in this bill, even as I've described some of the third-party testimony from the newspapers. In fact, one is left questioning, "What is the plan here?" They could solve all the problems—anybody could—by simply raising the taxes and then saying, "We're working at it." Most of these reports find themselves basically on the bookshelves; they're not introduced too often.

In fact, this article that said the minister was guilty of speeding suggests that the minister only introduced this bill after a comment from Robert Benzie and John Duncan in the Toronto Star in October. It wasn't long after that they pulled it in, introduced it on the 27th and here we are almost a year later still talking about it.

Why are we still talking about it? It's the rather obsequious—the word I'd use—trying to wrap all these things around, sticking in a few of their nice-to-have items, but not dealing with the appointment of JPs, indeed slowing down access to the justice system. Why aren't they doing that? Why are York region and other areas, probably including Durham, having these violations thrown out of court? Since the Askov decision of justice delayed, eventually they—



**Mr. Kormos:** Askov and Melo.

**Mr. O'Toole:** And Melo; those are the two decisions.

Mr. Kormos is a former criminal lawyer. In fact, he probably has done work in the courts and is very familiar with it, and it has drawn him to Queen's Park, perhaps to keep a closer eye on this very bill.

*Interjections.*

**Mr. O'Toole:** I'm being engaged here. Actually—through the Chair—you have spoken on this.

This article that I'm referring to is from the Toronto Star, Monday, October 17, 2005. It's by Robert Benzie and John Duncanson: "Sweeping Justice Reforms; Police May Give Video, Audio Testimony to Help Ease Crunch; Star Probe into JP System Sparks Action by Attorney General." So he reacts by introducing this bill. We need this to go to committee, because there are a lot of very serious drafting issues, as well as a lack of the public's embracing what they intend to do here. The evidence on the ground is that there are fewer police officers, fewer JPs, all of which is putting our community at risk.

We've talked about the issue that happened in southwestern Ontario with the biker gangs. We had the past summer of guns and violence. John Tory has tried his best. He issued a report trying to deal with issues of youth violence. And we have this bill. Again, it's all legal-spegal. I've had many people who are frustrated, not just with the court system but by the inaction of the government.

When you talk about the other part, the paralegals, I fully agree with our critic, Bob Runciman. He said it in his speech, and I've looked at it today just to make sure I have it right. Our leader John Tory agreed with him. If they had put this before us and worked with the various stakeholders, whether it's the law society or the paralegal groups that need to be regulated—no one here disagrees with that; in fact, they want to. I have an article here from the head of the paralegal association that says they'd be happy to move, as a professional group, into an organization that is self-regulated. But they've got this little kicker: It's the law society. They're not lawyers; they're going to be the surrogates or, if you will, the servants of the law society.

It gets into a comment I was making earlier on the whole section dealing with the reorganization of the law section—Peter would probably know that section; he's more familiar with it than I am. It will require the legitimization, which is the role of the self-regulating law society—it's like a college that licenses or legitimizes their professional standards or scope of practice, and also deals with issues of complaints and potential penalties. What you need to find out there—it's even in the law society itself. Look to the history. How is it doing in terms of bad lawyers and all these various things? I'm not disparaging lawyers. As a generalization, I'm saying there are even politicians, certainly in Ottawa recently, who needed to be brought to account. There was Justice Gomery, who looked into various inappropriate behaviours or practices, and I guess some people will serve time. We should all be subject to the stiff hand of justice,

the fair and reasonable hand of justice. You need a system there that's at arm's length of government. I commend the most recent appointee to the Supreme Court of Canada going to committee and disclosing what practical experience and perspectives he will bring to the justice system, the interpretations of the laws, the statutes that we all live by.

Yet some people are victims, primarily in civil matters. I've found in my riding that there are probably about three serious cases. They are serious cases that have gone to the courts and failed for lack of representation, I suppose, at the end of the day. But, again, many of them are at the end of their financial ability to pay for all those things.

In the few minutes I have left here, this is a petition I have read, and I mentioned it earlier:

"Whereas the Ministry of the Attorney General may not be aware of the serious and important issues facing individuals involved in areas of the justice system, even though the Attorney General's ministry is continually monitoring;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Honourable Michael Bryant, Attorney General, be requested to do an in-depth investigation of the Ontario judicial system and make the public aware of his findings" immediately.

That's what this bill is and that's what the public hearings will do. We need more debate on this bill.

**The Deputy Speaker:** Questions and comments.

**Mr. Kormos:** I wasn't sure I was going to be able to address this matter yet another time, and I'm grateful to the member from Durham, John O'Toole, for doing what he is paid to do. I have regard for this member who comes to this chamber to debate the issues of the day, to speak out on behalf of his constituents.

I find it remarkable that it's Conservatives and New Democrats who have had to carry this bill. If it weren't for the Conservatives and New Democrats, there would have been no debate at all. We certainly haven't heard from the Liberals this evening, have we? We're scheduled to sit—what?—another hour and a half, and I await Liberal participation in the debate in this rotation. Let's hear one, two or three of these Liberals speak on behalf of their constituents the way John O'Toole spoke on behalf is his. Let's see one, two or three of these Liberals show an interest in working something other than bankers' hours and standing up, notwithstanding that, oh, my, it's 20 to 8 and you want to go home, huh? Let's see one, two or three of these Liberals get up and participate in this debate. The time allotted you at this point is but 10 minutes. Surely you can spare 10 minutes from your busy evening schedules to participate in a debate around Bill 14.

I suppose at the end of the day it's disappointing for the Liberal backbenchers to see the absence of stewardship by the Attorney General and/or his parliamentary assistant as this bill proceeds through the Legislature. I suppose that's what may well frustrate them and cause



them to be disinclined to participate. But I say, stand up and liberate yourselves by participating in the debate, notwithstanding the lack of stewardship from the minister.

**Ms. Horwath:** I too want to commend the member from Durham for making a number of very insightful comments about Bill 14. I think it's an important piece of legislation, and I'm actually surprised that there isn't a more fulsome debate on second reading of this bill.

I have to tell you, when you talk about provincial offences court, which is the issue that I've been concerned about, you're talking about offences under the Occupational Health and Safety Act, the Highway Traffic Act, things like drunk driving, injuries in the workplace, exposure to life-threatening situations in the workplace, offences under the Tenant Protection Act. I almost had a slip; I almost said the Landlord and Tenant Act. Of course, that would have been the previous legislation. Hopefully, if the Liberal government ever gets around to changing the current tenant protection regime that the Harris government put in place, maybe they will call it something else or maybe they'll make it a tenant protection piece.

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Nonetheless, the bottom line is, this debate is about Bill 14. There are a lot of serious issues in this bill. It certainly does require the scrutiny of all of the members of this Legislature. I'm very pleased to see the fulsome participation by opposition parties, because the government has some thinnin' to do about where this bill goes.

This debate is going to give them some suggestions, and I only wish that some of the Liberal members had taken an opportunity—I mean, they're sitting here—to bring some of the insights from their own personal experiences, from their own ridings and from the experiences of the people they represent, because unless we are instructed by the experiences of the people we represent, we really can't purport to be bringing their issues forward to this Legislature.

So I was certainly happy to have that opportunity tonight; I know the member from Durham was happy to have that opportunity tonight; I only wish some of the Liberals members would have been, also.

**The Deputy Speaker:** Questions and comments? The member for—

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** Scarborough Southwest.

**The Deputy Speaker:** Scarborough Southwest. Yes, thank you.

**Mr. Berardinetti:** I just wanted to comment briefly on the comments made earlier on today by the member from Durham regarding Bill 14. The bill before us today, the Access to Justice Act, provides a number of amendments and changes that need to happen in the justice system. I think what Mr. O'Toole, the member from Durham, said earlier makes a lot of sense. We need to look at this bill carefully.

The way to do it is, we take this to committee—that's my understanding—and we debate it at committee. Then we bring it back here and we debate it again, hopefully

with some amendments—we'll see—and debate it here again for third reading.

**Mr. Kormos:** How many days of third reading?

**Mr. Berardinetti:** I'm unable to predict how many days of third reading or how many days of committee hearings, but I can say that it's going to be a lot more than when the Tories were in power, because I understand that they didn't have a lot of third reading debates. We at least are having third reading debates, and I'm happy to participate in those.

There's a lot in here. The regulation of paralegals alone is an issue that was touched upon and has been touched upon here and is quite important. Lawyers are regulated; paralegals presently are not. One of the big recourses available to the public in general when they are unhappy with their lawyer is that they can go to the Law Society of Upper Canada. The same is not true of the paralegals. I think we need to look at that, and this bill allows for that to happen.

Amending the justice of the peace system: Everyone knows that we need more JPs, or justices of the peace, out there. Let's take this to committee, let's discuss it at committee, and then let's bring it forward for third reading.

I want to see this go to committee; I want to see this debated at committee. Let's invite members of the public, if they want to come. I know that the Attorney General has had consultation on this before. Let's have some more consultation on this. Let's provide more transparency; let's open up the system to allow more transparency and accountability in the justice system, including publication of information on court operations, which is a mystery to many people. So I look forward—

**The Deputy Speaker:** Thank you. Questions and comments?

Member for Durham, you have two minutes to respond.

**Mr. O'Toole:** I do appreciate the input and the continual attempt to further the debate from Hamilton East, obviously, Niagara Centre and Scarborough Southwest. It's refreshing to have a Liberal member stand up. I think they are being whipped not to say anything, but I'm sure it will be well discussed and disclosed in the public hearings, with the committee hearings pending on Bill 14.

I want to bring to the table's attention, to that of the Chair and those viewing, that the Parry Sound–Muskoka member spoke earlier, the member from Haldimand–Norfolk–Brant spoke earlier, and the member from Hamilton East spoke earlier. The opposition and third parties have tried their best to have a full and wholesome debate.

But let's just deal with one thing in the very brief time that I've been limited to. I'm looking at another newspaper column that says that “both [Chief] Blair and York region police chief Armand LaBarge say that the shortage of justices of the peace is contributing to the problem” of a lack of JPs. It's causing backlogs. That means that trials take up to a year to get to court. There you have it. They are two completely impartial, independ-

ent—that's one part of this omnibus bill. They are saying that your failure to put the proper resources in place is causing a delay in justice.

I look forward to stakeholder input on this bill; I look forward to it on third reading. I think it needs further debate. The government is not—

**Mr. Kormos:** The Liberals just don't want to work.

**Mr. O'Toole:** Yes. They seem to do that standing order 9(c)(i) every day, but they don't show up to actually participate. They don't use the closure motion or time allocation motion. What they actually do is they just don't say anything. It's discouraging, and I don't mean that disparagingly. There are some members here—and I won't name them, because there aren't that many. When we were government, we certainly brought in some very straightforward legislation, some of which needed to be debated further, and I would agree that this bill needs further debate.

**The Deputy Speaker:** Further debate? Does any other member wish to speak?

Mr. Bryant has moved second reading of Bill 14, An Act to promote access to justice by amending or repeal-

ing various Acts and by enacting the Legislation Act, 2005. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. Carried.

Shall the bill be ordered for third reading?

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** I would ask that the bill be referred to the standing committee on justice policy.

**The Deputy Speaker:** The bill is accordingly referred to the standing committee on justice policy.

Adjournment of the House?

**Hon. Mr. Bentley:** Adjourn, please.

**The Deputy Speaker:** It's been moved that the House adjourn.

All those in favour, say "aye."

This House is adjourned until 1:30 of the clock tomorrow.

*The House adjourned at 1947.*



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Brampton Centre / Brampton–Centre	Jeffrey, Linda (L)	Hamilton West / Hamilton–Ouest	Marsales, Judy (L)
Brampton West–Mississauga / Brampton–Ouest–Mississauga	Dhillon, Vic (L)	Hastings–Frontenac–Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona (L)</b> Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Brant	Levac, Dave (L)	Huron–Bruce	Mitchell, Carol (L)
Bruce–Grey–Owen Sound	Murdoch, Bill (PC)	Kenora–Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Burlington	Jackson, Cameron (PC)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon. / L'hon. John (L)</b> Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Cambridge	Martiniuk, Gerry (PC)	Kitchener Centre / Kitchener–Centre	Milloy, John (L)
Chatham–Kent Essex	Hoy, Pat (L)	Kitchener–Waterloo	Witmer, Elizabeth (PC)
Davenport	Ruprecht, Tony (L)	Lambton–Kent–Middlesex	Van Bommel, Maria (L)
Don Valley East / Don Valley–Est	<b>Caplan, Hon. / L'hon. David (L)</b> Minister of Public Infrastructure Renewal, Deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement t	Lanark–Carleton	Sterling, Norman W. (PC)
Don Valley West / Don Valley–Ouest	Wynne, Kathleen O. (L)	Leeds–Grenville	Runciman, Robert W. (PC)
Dufferin–Peel– Wellington–Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	London North Centre / London–Centre–Nord	Matthews, Deborah (L)
Durham	O'Toole, John (PC)	London West / London–Ouest	<b>Bentley, Hon. / L'hon. Christopher (L)</b> Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Eglinton–Lawrence	<b>Colle, Hon. / L'hon. Mike (L)</b> Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	London–Fanshawe	Ramal, Khalil (L)
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Erie–Lincoln	Hudak, Tim (PC)	Mississauga Centre / Mississauga–Centre	<b>Takhar, Hon. / L'hon. Harinder S. (L)</b> Minister of Transportation / ministre des Transports
Essex	<b>Crozier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga East / Mississauga–Est	Fonseca, Peter (L)
Etobicoke Centre / Etobicoke–Centre	<b>Cansfield, Hon. / L'hon. Donna H. (L)</b> Minister of Energy / ministre de l'Énergie	Mississauga South / Mississauga–Sud	Peterson, Tim (L)
Etobicoke North / Etobicoke–Nord	Qaadri, Shafiq (L)	Mississauga West / Mississauga–Ouest	Delaney, Bob (L)
Etobicoke–Lakeshore	<b>Broten, Hon. / L'hon. Laurel C. (L)</b> Minister of the Environment / ministre de l'Environnement	Nepean–Carleton	MacLeod, Lisa (PC)
Glengarry–Prescott–Russell	Lalonde, Jean-Marc (L)	Niagara Centre / Niagara–Centre	Kormos, Peter (ND)
Guelph–Wellington	Sandals, Liz (L)	Niagara Falls	Craiton, Kim (L)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Nickel Belt	Martel, Shelley (ND)	St. Paul's	<b>Bryant, Hon. / L'hon. Michael (L)</b> Attorney General / procureur général
Nipissing	Smith, Monique M. (L)	Stoney Creek	Mossop, Jennifer F. (L)
Northumberland	Rinaldi, Lou (L)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Oak Ridges	Klees, Frank (PC)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick (L)</b> Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Oakville	Flynn, Kevin Daniel (L)	Thornhill	Racco, Mario G. (L)
Oshawa	Ouellette, Jerry J. (PC)	Thunder Bay–Atikokan	Mauro, Bill (L)
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Thunder Bay–Superior North / Thunder Bay–Superior- Nord	Gravelle, Michael (L)
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton (L)</b> Premier and President of the Executive Council, Minister of Research and Innovation / premier ministre et président du Conseil exécutif, ministre de la Recherche et de l'Innovation	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David (L)</b> Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim (L)</b> Minister of Health Promotion / ministre de la Promotion de la santé	Timmins–James Bay / Timmins-Baie James	<b>Smitherman, Hon. / L'hon. George (L)</b> Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Ottawa–Orléans	McNeely, Phil (L)	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	<b>Tabuns, Peter (ND)</b> Marchese, Rosario (ND)
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine (L)</b> Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones	Toronto–Danforth	Sorbara, Greg (L)
Oxford	Hardeman, Ernie (PC)	Trinity–Spadina	<b>Arnott, Ted (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Parkdale–High Park	Kennedy, Gerard (L)	Vaughan–King–Aurora	Elliott, Christine (PC)
Parry Sound–Muskoka	Miller, Norm (PC)	Waterloo–Wellington	Zimmer, David (L)
Perth–Middlesex	Wilkinson, John (L)		<b>Pupatello, Hon. / L'hon. Sandra (L)</b> Minister of Education, minister responsible for women's issues / ministre de l'Éducation, ministre déléguée à la Condition féminine
Peterborough	Leal, Jeff (L)		<b>Duncan, Hon. / L'hon. Dwight (L)</b> Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)		<b>Kwinter, Hon. / L'hon. Monte (L)</b> Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Prince Edward–Hastings	Parsons, Ernie (L)	Whitby–Ajax	Munro, Julia (PC)
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	Willowdale	<b>Cordiano, Hon. / L'hon. Joseph (L)</b> Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Samia–Lambton	<b>Di Cocco, Hon. / L'hon. Caroline (L)</b> Minister of Culture / ministre de la Culture	Windsor West / Windsor-Ouest	Sergio, Mario (L)
Sault Ste. Marie	Oraziatti, David (L)		
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Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)	York North / York-Nord	
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry (L)</b> Minister of Government Services / ministre des Services gouvernementaux	York South–Weston / York-Sud–Weston	
Scarborough–Rouge River	Balkissoon, Bas (L)	York West / York-Ouest	
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J. (L)</b> Minister of Tourism, minister responsible for seniors, Government House Leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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Norman W. Sterling, Kathleen O.Wynne  
Clerk / Greffière: Anne Stokes

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No. 59

N° 59

ISSN 1180-2987

**Legislative Assembly  
of Ontario**  
Second Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**  
Deuxième session, 38<sup>e</sup> législature

# **Official Report of Debates (Hansard)**

# **Journal des débats (Hansard)**

**Wednesday 12 April 2006**

**Mercredi 12 avril 2006**

**Speaker**  
Honourable Michael A. Brown

**Président**  
L'honorable Michael A. Brown

**Clerk**  
Claude L. DesRosiers

**Greffier**  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 12 April 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 12 avril 2006

*The House met at 1330.*

*Prayers.*

### MEMBERS' STATEMENTS

#### MARK JOHNSTON

**Ms. Lisa MacLeod (Nepean–Carleton):** I'm honoured to stand before you today to offer a tribute for a fallen firefighter in my community. As I speak, hundreds of firefighters and thousands of citizens are mourning Mark Johnston, a respected firefighter, star athlete, community activist and family man from my hometown.

I and other Ottawa residents are heartened that Ottawa firefighters have organized a hero's honour to remember Mark Johnston. This final mark of respect will no doubt give Mark's devoted family, his wife, Rebecca, and his children, Lahra and Trent, comfort that Mark's work in our community will long be remembered.

Mr. Johnston died on April 7, at the age of 43, after a lengthy battle with colon cancer.

A youthful football player with the Ottawa Sooners and the Gee-Gees, Mr. Johnston had an outstanding career with the Nepean and then Ottawa fire departments. Before passing, Mr. Johnston, along with fellow firefighters Brandon Stewart and Jim Andrews, organized the Quest for a Cure to raise money for the Ottawa Regional Cancer Centre and make cancer history.

It is only fitting that on behalf of residents in Ottawa and the members of this Legislature, I extend our condolences to the Johnston family for their loss. To quote the Bible, Matthew 5:4 says, "Blessed are those who mourn, for they will be comforted."

#### SOCIAL SERVICES

**Ms. Shelley Martel (Nickel Belt):** I again want to raise the case of Sara Anderson of Sudbury, who is now in day 10 of a hunger strike to protest the broken promises of this government with respect to some of Ontario's poorest families.

This government promised to increase social assistance rates annually by the cost of inflation, a promise not met last year when there was no increase in rates at all. This government promised to fully end the clawback of the national child benefit supplement, but has failed to do that. This government has severely restricted access to

the supplementary diet benefit, which means people are going without nutritional needs to ensure good health.

The McGuinty Liberal government has failed Sara Anderson, her daughter, and other families like hers. She experienced a cut in her supplementary diet benefit under this government. Her daughter receives the national child benefit supplement from the federal government, and then the McGuinty Liberal government claws the overwhelming majority of that money back. After rent, Sara and her daughter have a little over \$300 a month to live on. There is no one here who could possibly argue that that is enough.

At a time when the McGuinty Liberal government recently had a \$3-billion windfall, there is no reason why promises like these have not been met. I call on this government to immediately help Sara Anderson and her family by living up to the promises you made to Ontario's poorest families.

#### SCARBOROUGH YOUTH

**Mr. Bas Balkissoon (Scarborough–Rouge River):** I am proud to inform the assembly that over the past month there appears to be a renaissance of the young people in my riding of Scarborough–Rouge River.

The youths of Scarborough–Malvern have been making the community proud of their achievements in hockey and basketball. Recently, Dr. Marion Hilliard Senior Public School in Malvern made the first cut and now remains in the top 50 communities competing in the CBC reality series for the title "Canada's Hockeyville." I would like to offer best wishes to them in the next round of competition.

The highest level of high school basketball competition in Ontario is the OFSAA quad A championships. To compete at this level requires commitment, dedication and hard work by both players and coaches. The final game in this year's competition had two Scarborough high schools vying for the crown. Scarborough–Malvern's Mother Teresa Catholic Secondary School Titans basketball team came away victors over the crosstown West Hill Collegiate Warriors.

These achievements show that given the opportunity and guidance, our youths will work hard toward making their lives better not only for themselves but also for their community as a whole.

Earlier today, the Minister of Health Promotion, Mr. Jim Watson, had the opportunity to personally congratulate the Ontario champions. I would like the assembly to join me in recognizing the Mother Teresa Titans, accom-

panied by their principal, coaches and school trustee Mr. Oliver Carroll. They are here with us today in the members' gallery on the east side.

#### MINISTER OF AGRICULTURE, FOOD AND RURAL AFFAIRS

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):**

The ag minister has found a distraction from the farm income crisis: Ping-Pong. She has become an expert in deflecting every ball from her side of the table, and she sees the federal government as her opponent.

Minister Dombrowsky supported the McGuinty cuts to agriculture even as Stephen Webster, Ontario dairy heifer exporters president, camped in his car in front of Queen's Park for the past month. She served up a budget cut of 21% and told farmers to go to Ottawa. So last week, new MPP Lisa MacLeod and I joined 10,000 farmers in Ottawa. The minister wasn't there. Federal ag minister Strahl wants to fix CAIS, but he cannot act unilaterally. The ball is back on Dombrowsky's side of the Ping-Pong table.

The March 28 Ontario Farmer reported that the Minister of Agriculture found it a "slap in the face" when farm leaders demanded more assistance from her. Ping-Pong again: The minister just drilled the ball of blame directly at farmers for daring to make their concerns known. That's out of bounds. This isn't about you, Minister; it's about farmers, your 52% cut to agricultural support and your government's refusal to show leadership on this file or any other file.

Minister, will you acknowledge that you've lost control of your ministry? You've lost control of the Ministry of Agriculture, and we ask you to resign to allow someone to speak up for farmers.

1340

#### AMATEUR SPORT

**Mr. Dave Levac (Brant):** I rise today to once again congratulate our many amateur athletes here in the province of Ontario. Amateur athletes train hard to be the best at what they do and represent us on local, regional, provincial, national and, indeed, international stages. Our government created the Quest for Gold lottery to help support these amateur athletes while they train for the Ontario Games, the Commonwealth Games, the Paralympics and, yes, the Olympics. Recipients can receive funding directly or through additional funding for coaches and training opportunities.

In my own riding of Brant, eight outstanding athletes have benefited from this government's investment: Alexander Radoman-Guillemette, Steve Piatek, Terri McNult, Katie Yamamoto, William Morgan, Adam McCabe, Tanya Hunks and Jenna Kayakjuak. These outstanding athletes deserve our recognition and our support. I thank them, their coaches and their families for the dedication,

sacrifice and commitment to each of their respective sports.

To qualify for funding, athletes, among other things, must be based in Ontario, commit to a proper training and competitive program and have a certified coach. Further information can be found on the website of the Ministry of Health Promotion: [www.mhp.gov.on.ca](http://www.mhp.gov.on.ca).

The Quest for Gold lottery is a government initiative that invests in our youth, and indeed, it is an investment in our future. I thank each and every one of us, including all the members of this House, for supporting our amateur athletes.

#### HYDRO RATES

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):**

The hammer came down hard on Ontario residents and businesses today with the announcement of the McGuinty electricity rate hike: an unbelievable 16%. After breaking their promise to maintain rates of 4.3 cents per kilowatt hour, this Liberal gang has whacked Ontarians with a whopping 56% increase in electricity rates since taking office. This latest Liberal hand in your pocket is really going to hurt. People are asking how much more they can take of this tax-and-spend group. Where is the hard-working Ontario family to find the additional money to pay for this government's failed electricity policy? How is the low-income senior to cope?

This latest McGuinty massacre is just another consequence of their complete lack of understanding of the energy file of this province. These hikes are being driven by the irresponsible and foolish promise to shut down 20% of the province's capacity without any reasonable plan to replace it. The government is scrambling to find some way—any way—to fill the gap they have created, and they're willing to pay the providers whatever they want. Sadly, in the end it is the electricity consumer who pays the price for the Liberals' mismanagement.

On top of the effect of the McGuinty government leveling the biggest tax increases in history, the net effect of this latest announcement will come as very discouraging news to industries and business already reeling from the effects of this government's addiction to taxation and spending. It's high time that this government came clean with the people of Ontario and admitted that their energy plan is unworkable and unhealthy for the future of this province.

#### RENT BANK PROGRAM

#### PROGRAMME DE BANQUES D'AIDE AU LOYER

**Mr. Phil McNeely (Ottawa-Orléans):** I rise in the House today to congratulate the McGuinty government and, in particular, Minister Gerretsen for introducing additional funding to the rent banks. This program is designed to help protect seniors and low-income Ontarians from eviction should they be unable to pay their rent



due to an unforeseen crisis. Last week, the government invested an additional \$4 million in the provincial rent program that will help those vulnerable Ontarians who must struggle to make ends meet or tenants who face temporary financial setbacks resulting from an illness, a job loss or a family emergency.

This announcement was great news for Ottawa. We received \$254,000 for our rent bank program, which will be available to the city immediately. In Orléans, this funding is especially welcome, as students, single-income families and seniors alike find themselves temporarily in need of assistance to avoid losing their homes. This is just another example of how the McGuinty government has put supports in place for people to use to get back on their feet. These supports are so important for Ontarians who are struggling with financial difficulties.

Monsieur le Président, depuis 2004, l'année où le programme était mis sur pied grâce à un investissement initial de 10 000 \$ répartis parmi les municipalités de l'Ontario, 4 177 ménages locataires ont reçu une aide financière et ont évité l'éviction. Maintenant, avec les fonds supplémentaires annoncés la semaine dernière, plusieurs individus vont recevoir de l'aide pour assurer que leur famille ne sera jamais sans logement.

With the additional funds announced last week, we can help even more households receive the help they require to ensure that their families will never be without a home.

## PUBLIC LIBRARIES

**Ms. Monique M. Smith (Nipissing):** Last Friday I was delighted to welcome the Premier to my community, and while he was there, the Minister of Culture was announcing great news for our small rural and northern libraries. The Ontario government is helping to promote literacy and lifelong learning across the province with a \$6-million investment, and specifically in Nipissing, with an investment of \$84,000 into rural, remote, francophone and First Nation public libraries. That is great news for our smaller communities.

Families in our communities can go to the library for help with basic reading and writing skills. Our libraries recognize the challenges of living in small communities and will use this new funding for programs and services that meet the needs of local learners. The Bonfield Township Public Library received \$10,500, and Mayor Narry McCarthy was delighted. Lise Moore Asselin, at the Mattawa Public Library, told me it was like winning the lottery. Other area libraries that are benefiting from our contributions are the Dokis First Nation Public Library, the East Ferris Township Public Library, the Municipality of Callander Public Library, the Nipissing First Nation Public Library and the Phelps Public Library, as well as the Powassan and District Public Library.

This is great news for our small, rural, northern, francophone and aboriginal communities and great news for Nipissing—another great day.

## BORDER SECURITY

**Mr. David Oraziotti (Sault Ste. Marie):** I'd like to express my concern and that of my community with the US passport proposal and its effect on tourism and cross-border travel. The tourism industry is vital to my riding of Sault Ste. Marie and to our entire province. I implore the federal government House leader, Rob Nicholson, who represents the border riding of Niagara Falls, to educate Prime Minister Harper on this issue.

Last October, Mr. Nicholson said that he feared "the chilling effect" of the passport plan and its effect on tourism and the economy of border communities. He stated, "People who don't live along the border don't understand the border," and that "this is a truly Canadian issue, not just a Niagara issue. This can't wait for another summer season to come and go. I'm worried about the tourism we're losing right now."

I completely agree with the 2005 Mr. Nicholson, who has now, in 2006, remained silent on the issue despite the fact that Prime Minister Harper has raised the white flag to President Bush, saying, "It's an American law ... I don't think that there's any prospect of Congress [changing it]."

Premier McGuinty hasn't given up. He's taken over the job that Mr. Harper and Mr. Nicholson are supposed to do. Our Premier has been working with trade, commercial and tourism officials in the US to try to alter this law. He has won the support of the governors in Michigan, New York and Ohio, and he recognizes that the tourism industry is worth \$1.6 billion annually in Canada, even if the federal government does not.

I hope that government House leader Nicholson will regain his 2005 form and urge Prime Minister Harper, as he did Prime Minister Martin, to stand up for Canadian border communities, as Premier McGuinty is doing today.

## MOTIONS

### COMMITTEE MEMBERSHIP

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I seek unanimous consent to put forward a motion without notice regarding the membership of certain committees.

**The Speaker (Hon. Michael A. Brown):** Agreed? Agreed.

**Hon. Mr. Bradley:** I move that the following substitutions be made to the membership of certain committees:

On the standing committee on justice policy, Christine Elliott replaces Elizabeth Witmer. On the standing committee on public accounts, add Lisa MacLeod.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

## HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Wednesday, April 12, 2006, for the purpose of considering government business.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1351 to 1356.*

**The Speaker:** Order. Members take their seats, please.

Mr. Bradley has moved government notice of motion 99. All in favour will please rise one at a time and be recognized by the Clerk.

## Ayes

Arthurs, Wayne	Duncan, Dwight	Patten, Richard
Balkissoon, Bas	Flynn, Kevin Daniel	Peters, Steve
Bartolucci, Rick	Gerretsen, John	Peterson, Tim
Bentley, Christopher	Hoy, Pat	Phillips, Gerry
Berardinetti, Lorenzo	Jeffrey, Linda	Pupatello, Sandra
Bradley, James J.	Kular, Kuldeep	Ramsay, David
Broten, Laurel C.	Kwinter, Monte	Sandals, Liz
Bryant, Michael	Lalonde, Jean-Marc	Smith, Monique
Cansfield, Donna H.	Levac, Dave	Smitherman, George
Caplan, David	Mauro, Bill	Sorbara, Gregory S.
Chambers, Mary Anne V.	McGuinty, Dalton	Takhar, Harinder S.
Colle, Mike	McNeely, Phil	Van Bommel, Maria
Crozier, Bruce	Meilleur, Madeleine	Watson, Jim
Delaney, Bob	Milloy, John	Wilkinson, John
Di Cocco, Caroline	Mitchell, Carol	Wong, Tony C.
Dombrowsky, Leona	Oraziotti, David	Wynne, Kathleen O.
Duguid, Brad	Parsons, Ernie	

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

## Nays

Arnott, Ted	Kormos, Peter	Prue, Michael
Barrett, Toby	MacLeod, Lisa	Runciman, Robert W.
Bisson, Gilles	Martel, Shelley	Scott, Laurie
Dunlop, Garfield	Martiniuk, Gerry	Tabuns, Peter
Elliott, Christine	Miller, Norm	Tory, John
Hardeman, Ernie	O'Toole, John	Wilson, Jim
Horwath, Andrea	Ouellette, Jerry J.	Yakubski, John

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 50; the nays are 21.

**The Speaker:** I declare the motion carried.

## WOMEN'S RIGHT TO VOTE

**Ms. Andrea Horwath (Hamilton East):** On a point of order, Mr. Speaker: I wish to remind the House that the women of Ontario got the right to vote 89 years ago today with the passing of An Act to amend the Ontario Election Act on April 12, 1917.

## ORAL QUESTIONS

## HYDRO RATES

**Mr. John Tory (Leader of the Opposition):** My question is to the Premier. In the 2003 election campaign, you promised, "The current rate cap will be kept in place until 2006." Why have you permitted hydro rates to go up as much as 55%? You have zapped the people of Ontario with yet another of your broken promises. I don't know how they can believe anything you say. Why have you done that?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I am pleased to receive the question and pleased to have this opportunity to speak to the House and to Ontarians generally about our electricity policy. I am very confident that we've made the right decision for the right reasons. It's not an easy decision for our government, but I'm convinced that it is the right decision for Ontarians.

We've decided effectively that we should all pay for the actual cost of producing our electricity. We didn't do that in the past and the result of that is visible in our monthly hydro bills, where there is a debt retirement charge where Ontario Hydro ratepayers are now making payments, principal plus interest, because in the past under—in fairness—governments of all political stripes, we did not pay for the actual cost of producing our electricity. I think most Ontarians would understand that that is just not sustainable. In supplementary, I'll speak to more aspects of this.

**Mr. Tory:** The question, of course, to the Premier was about why you have done, especially in the last three years between 2003 and now, something quite different than you told the people of Ontario you would do. You promised them something very explicit, as you were known to do on many files during the course of the election, to win votes, and then did something quite opposite.

We have your broken promises on hydro rates, we have your broken promises on coal plant shutdowns. The only thing that is well planned about your energy policy is that nothing is firm and nothing is well planned. We have a few windmills operating nowhere near capacity, we have a couple of sod-turning photo ops, but the fact of the matter is that all of the megawatts you remind us about all the time are sitting on paper in some bureaucrat's office in the Ministry of Energy.

The Windsor Star says, "McGuinty's energy plan will cost electricity consumers more money, do little for the environment while severely damaging the economy and create a climate of protracted uncertainty that will scare off investors and lead to devastating job losses." My question is this: When are you going to stop punishing hard-working Ontarians—

**The Speaker (Hon. Michael A. Brown):** Thank you. Premier?

**Hon. Mr. McGuinty:** To state the obvious, I heartily disagree with the leader of the official opposition's



representation of our policy and its impact on Ontario. The fact of the matter is that we are the first government in a long time—and we would have preferred the other governments got their hands around this in the past—to take this issue on. We have the most aggressive new construction plan for new generation in North America. We have a very aggressive plan as well for renewables and promoting conservation.

I gather that what the leader of the official opposition is saying is that he believes that we should continue to control electricity prices through the government, and I gather he's also saying that we should cap rates. We have rejected that. That cost Ontario taxpayers \$1 billion because of what former Premier Ernie Eves did. We've chosen a better route. We think it's the most responsible route. We believe that we should be paying for the actual cost of our electricity.

**Mr. Tory:** The electricity consumers and the voters of Ontario certainly didn't hear much about this when you were campaigning for election, but it's fine now. The fact is that the Premier knows that Ontarians cannot trust him to live up to his words or his promises on energy, and they feel you can't be trusted to competently manage the energy file in this province.

You promised you would cap electricity rates and you broke that promise. You promised to close the coal-fired generating plants by 2007 and you've broken that promise, irresponsible as it was to begin with. You promised to take politics out of the energy sector. The major power consumers of Ontario say your plan is going to result in a 25% rate increase every single year. When are you going to start being straight with Ontarians about your electricity policy and stop zapping them with your increases and broken promises?

**Hon. Mr. McGuinty:** Again, I gather from the leader of the official opposition's line of questioning that he would be in favour of capping electricity prices. I think it's important that Ontarians understand that distinction between me and him.

If we were to subsidize electricity rates as Mr. Tory is proposing, there is a cost connected with that. That money would have to come out of our schools, our hospitals, our social programs, our infrastructure; it would have to come from someplace. We have decided to do what we think is right in the circumstances. That's not necessarily an easy thing to do, but we think it's the responsible thing to do. We think that all of us, our generation, should pay for the actual cost of the electricity that we're buying. We think it's wrong to pass that cost down to our children or our grandchildren, as that government did in the past. We are going to live within our means. It's not necessarily an easy thing to do, but I'm confident and comfortable with the notion that Ontarians will support us on this.

**The Speaker:** New question.

**Mr. Tory:** My question again is for the Premier. I'll tell you, what this Leader of the Opposition is in favour of is Premiers keeping their word, starting with this

Premier—for the rest of the very short time that you will have available for you to do that.

Premier, what the people of this province—

*Interjections.*

**The Speaker:** Order. The Minister of Natural Resources.

**Mr. Tory:** My question to the Premier is this: Ontarians have said that they want an electricity plan that is reliable, affordable and responsible. You have promised that conservation is the key to our energy supply success going forward, and despite your minimal efforts, we continue to set new records for demand day after day, month after month, year after year. You have promised that your conservation czar, who is being paid in excess of \$300,000 a year, one of the rapidly increasing number of big-pay bureaucrats you have—we hear from him only once or twice a year. You've all but completely broken your promises on conservation. Mailing out coupons and wheeling this \$300,000 man out once in a while is not going to help Ontarians to deal with the shock of these bills.

Once the first and only cheque for \$125 has been cashed and sent right back to Hydro, what are the Hydro ratepayers going to do?

**Hon. Mr. McGuinty:** In addition to recognizing the importance of having a responsible electricity pricing policy, which means that we all have to pay for the actual cost of production—I think most Ontarians recognize that that's the right thing to do—we as a government have also recognized that there are going to be some low-income earners who are going to need some special supports. I'm pleased that the Minister of Finance, working very hard, has been able to develop a program that we have just announced: It's \$100 million to assist 1.5 million low-income Ontarians with the rising electricity rates.

I want Ontarians to understand that while it is important that we assume responsibility for the actual cost of our electricity production, we recognize at the same time that some Ontarians are going to have a hard time with that. That's why we've put this particular program in place. That's why we're reaching out to low-income Ontarians and telling them, "We understand the nature of your challenges," and that's why we're going to help.

**Mr. Tory:** Of course, what you've done is provide for a program that will give people a maximum cheque of \$125, which they will then turn around and send straight back to Hydro, and that will cover the first couple of months. What do they do after that?

What you have managed to do—

*Interjections.*

**The Speaker:** I need to be able to hear the questions. It's not helpful when we have so much noise.

The Leader of the Opposition.

**Mr. Tory:** What you have managed to do is to raise hydro rates by 55% since you took office, and you have managed at the same time to have a situation in which the CEO of Hydro One gets a bonus of \$500,000 without any justification, any criteria that you know about or that



you're able to share with anybody else. That represents another broken promise on your part to rein in these kinds of things or at least to make sure people understood the basis upon which they have it.

Premier, the \$500,000 cheque has been cashed, the people paying the bill for it still don't know why the cheque was given out in the first place, and you're jacking up their bills by 55%. Why are you doing that?

**Hon. Mr. McGuinty:** The leader of the official opposition is telling us that, were he to earn the privilege of serving Ontarians as their Premier, he would cap their electricity prices. I have a fundamental disagreement with that. I just want to make that clear to him so that the people of Ontario understand that as well.

Let me tell you a bit more about our support program called the Ontario home electricity relief program. It's going to help low-income families, who will receive a rebate of up to \$120, while individuals would receive a rebate of up to \$60. Beyond that, we have also doubled our emergency energy fund to \$4.2 million. Last year, by the way, we helped some 2,700 households, with an average of \$467 in assistance.

Again, I repeat, as we move towards a responsible electricity pricing policy in Ontario, we will not forget those who have some particular challenges, and we will help.

1410

**Mr. Tory:** I think what the people of Ontario will be noticing is that you don't come in here once and be straight with them about the promises that you made and either say it was irresponsible to make those promises during the course of the election and that you had no intention of keeping them or that you've decided to break your promises and be straight with people about that. We've got a broken promise on the—

*Interjections.*

**The Speaker:** The Minister of Health will need to come to order.

**Mr. Tory:** Ontarians have been watching while you broke your promise on rates, they've been watching while you broke your promise on supply mix, they've been watching while you broke your promise to remove politics from the energy file, they've been watching while you broke your promise on conservation, and they've been watching while you broke your promise on perks for hydro executives. Why don't you start being straight with Ontarians and start today by telling them that you made promises that you shouldn't have made, that you made promises you had no intention of keeping, and then start to be straight with them on the rest of this file? People are paying more than ever for energy. It has nothing to do with your broken promises. They're paying at least enough to receive straight answers from you; why won't you give them?

**Hon. Mr. McGuinty:** Again, I want to make it clear for all members of this House that there is a fundamental difference here in electricity policy. The leader of the official opposition is telling us that is part of his platform now. He is going to cap electricity prices in Ontario.

Ontarians are interested to learn of this news today; industry in particular. Those people we invite to invest in the creation of new generation in the province of Ontario will be particularly interested in that kind of approach.

We are moving ahead with a forward-looking, progressive, responsible electricity policy in the province. It means two things in particular: We think it's right for all of us to pay for the actual cost of the production of our electricity, but at the same time, we have an eye on those people who are up against it, who have low incomes and who are going to be particularly challenged by encountering the actual cost of electricity. That is why we put in place a number of programs to help them, and that's in addition to the number of conservation programs that we continue to put in place.

**The Speaker:** New question, the leader of the third party.

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Premier. Premier, this is a copy of your 2003 election document. It's called Hydro You Can Trust, The Ontario Liberal Plan for a Modern, Public Hydro. In this document, you made some very specific promises about hydro rates and protecting consumers. Do you remember what they were?

**Hon. Mr. McGuinty:** Again, I gather the leader of the NDP is making reference to the same policy, which is supported by some members of his caucus, and I'll be glad to elucidate further for him in the supplementaries. We think we have the right policy in place. We think it's important that we pay for the actual cost of the production of our electricity. I'm mindful of the fact that electricity prices are going up throughout most of North America. We are all beset with rising energy prices, but I think one of those things of which I am most proud by way of distinguishing our government from so many others in North America is the support programs we are putting in place for our low-income households. We have put a couple in place now which I think will be very effective at helping low-income Ontarians manage these new, higher electricity prices.

**Mr. Hampton:** Well, what a surprise: The Premier wouldn't answer the question about his own election platform. I repeat, this was entitled Hydro You Can Trust, The Ontario Liberal Plan—and in it you say that you are going to cap electricity rates until 2006. You went further on Global Television. You said, "I think the most important thing to do at this particular point in time is to put a cap on those rates through 2006." Hydro You Can Trust. Premier, why should any Ontarian believe anything you say about hydro rates from now on?

**Hon. Mr. McGuinty:** I'd ask the leader of the NDP if he might want to have a conversation with his newly elected representative, Peter Tabuns, who said at the time we lifted the cap, and I quote, "We fully support your proposal that the price cap removal be implemented in such a way"—in fairness to Mr. Tabuns—"as to minimize the impact on lower income Ontarians, and we look forward to the significant clean air benefits that will result from this...." That is exactly what we're doing. I



want to welcome Mr. Tabuns. There are some people who have support for our policy.

*Interjections.*

**The Speaker:** Order. I can wait. Order. Supplementary.

**Mr. Hampton:** Hydro You Can Trust. I didn't tell people that I believed in a rate cap. I told people the rate cap was very phony. But this is about your statement, Premier. This is about your statement that you were going to freeze hydro rates through 2006, and now you've raised hydro rates over the last three years by 55%. Struggling farmers, hard-pressed small businesses, modest- and lower-income families believed Dalton McGuinty. They believed him when he said, "Hydro You Can Trust." What's your answer to those people today, Premier, who trusted you, who believed you and now you've whacked them with a 55% increase, even though many of them can't afford it?

**Hon. Mr. McGuinty:** I think Ontarians are pretty clear about our direction with respect to energy policy. I can understand why they'd be confused about the leader of the NDP's policy, because he voted against putting a price cap in place and then he voted against taking it off. So it's pretty hard to figure out where he's coming from.

We're putting forward what I believe is a responsible electricity pricing plan. It's mindful of the fact that electricity prices are going up, not just in Ontario but throughout much of North America. We believe we owe it to our children and grandchildren to pay for our own costs as we go along. At the same time, we also have a responsibility to help low-income households, so again we've put in place a couple of programs that will help our low-income earners in Ontario. We think that's the best of all worlds, something that gives us a sustainable program and something that is sustainable for future generations.

**The Speaker:** New question, leader of the third party.

**Mr. Hampton:** What I voted against is a Dalton McGuinty who says one thing before the election to get votes and then does something else after the election.

Premier, I want to ask you about the rest of your double standard, because at the same time you're whacking low- and modest-income families with a 55% hydro rate increase, we have people like Tom Parkinson, the CEO of Hydro One, getting a \$500,000 pay increase, courtesy of Dalton McGuinty, that hydro ratepayers will have to pay. Premier, can you tell all those people who are struggling to pay their hydro bill why Tom Parkinson is getting a \$500,000 pay increase and why they have to pay for that?

**Hon. Mr. McGuinty:** We have good news for low-income Ontarians, and it's found within a couple of our new programs. Well, actually one is an older program—we just doubled the amount available through our emergency energy fund to \$4.2 million—and then there's our just-announced \$100-million package to assist 1.5 million low-income Ontarians.

Again, I wonder why the leader of the NDP has now become the champion of low prices because, if you check out page 244 of Public Power, Mr. Hampton says, on the

matter of pricing, "You will notice that I did not include 'low prices' as a defining principle of our future power system. 'Low' is a vague and highly relative term when it comes to power pricing." I want to welcome him now to lend his assistance to our support for low-income Ontarians when it comes to better managing their electricity prices.

1420

**Mr. Hampton:** Once again, the Premier doesn't want to answer the question, but I will try again. Low-income families, modest-income families, hit with a 55% hydro rate increase: You say you're going to help them. Do you know what your help amounts to? If their hydro bill goes up by \$60, you're going to give them \$10. Many of these people don't have money to pay the rent now. They don't have money to put food on the table now. You're going to take another \$50 out of them on a monthly basis.

At the same time, Tom Parkinson gets a \$500,000 pay increase. In fact, his total pay now is \$1.56 million, more than the CEOs of BC Hydro, Manitoba Hydro and Hydro-Québec all put together. Premier, tell me, why should low- and modest-income people, why should struggling farmers who are having trouble paying their bills now—

**The Speaker:** The question has been asked.

**Hon. Mr. McGuinty:** I think it's really important to put this in at least a little bit of perspective so we understand what's happening in North America with respect to electricity prices. Oddly enough, in Alberta they went up by 23% in January. Maryland will see prices going up from 35% to 72%; Massachusetts, 32%; Louisiana, 28%; New Hampshire, 29%; New York, 30%; New Jersey, 14%; Texas, 21%; New Brunswick, 13%; Nunavut, 15%.

We haven't been blessed by Mother Nature like Quebec and Manitoba, for example, so that we have access to plentiful amounts of hydroelectricity. But what we have is—

*Interjections.*

**Hon. Mr. McGuinty:** I think I've just discovered the answer to our energy shortage, Speaker.

**The Speaker:** Thank you. You may want to pursue that later. Final supplementary.

**Mr. Hampton:** Premier, the reality is that Ontario hydro rates, if you compare them to Quebec, if you compare them to Manitoba, if you compare them to neighbouring states immediately to the south of us, are rising incredibly. It's making a huge difference for industry and it's making a huge difference for ordinary people across this province.

But I want to ask you this: a 55% hydro rate hike already in the first three years, and then you plan to put \$40 billion into expensive, unreliable and environmentally risky nuclear plants. Tell us, what is that going to do to hydro rates? What's that going to do to struggling farmers, small businesses, low- and modest-income people? Where is your plan for people, for industry, for jobs? Because you sure don't see it today. You see executive salaries—

**The Speaker:** The question has been asked. Premier.



**Hon. Mr. McGuinty:** To better inform the leader of the NDP with respect to rising costs in states that are close by, our competitor states, I repeat: In Maryland, they're going up between 35% and 72% this year; in New York, they're going up by 30%; in New Jersey, by 14%.

When you break this down to a daily rate hike, it ranges somewhere between 15 cents, I believe, up to 60 cents on a daily basis. I'm not trying to minimize that; it can be a real issue in our low-income households. But that's exactly why we have established a new program and we're investing \$100 million in that program. That is a significant investment. It's a real investment. It's there to help our lowest-income earners manage with these new and, yes, rising electricity prices and again, that's grounded in a responsible policy.

### COMMUNITY SAFETY

**Mr. Garfield Dunlop (Simcoe North):** My question today is for the Minister of Community Safety and Correctional Services. On Monday of this week, you accused our leader, John Tory, of grandstanding in this House when he did his job in a responsible manner and questioned you on what your government is doing to stem the activity of guns and gangs outside of the GTA. Now we know why you were so mean-spirited in your response. Yesterday, the 2006-07 expenditures were released. It's on page 96. Minister, you are cutting a total of \$31.6 million from two key OPP units: investigations and organized crime, and field and traffic services. For your information, Minister, investigations and organized crime include the following: provincial weapons enforcement unit, child pornography section, the drug enforcement section, the anti-racket section and crime prevention.

Minister, how can you expect the Ontario Provincial Police to properly do their job when you continue to slash their budget in these key areas?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member for his question. I just want to tell him that his information is not correct, and I just want to correct the record for him. Here's what we've given the OPP to date: the provincial weapons enforcement unit, \$2.3 million in additional funding announced January 5, 2006. There will be an additional 51 new OPP officers hired as a result of our 1,000 officers program; guns and gangs task force, announced October, 2005, 32 additional crowns and 26 officers; January 5, \$51 million for enhanced anti-gang strategy, including funding for a provincial ops centre to fight guns and gangs; \$5.7 million annually for the biker enforcement unit. We've also enhanced the program of the criminal investigation service of Ontario.

That is hardly cuts. You should understand: The budget of the OPP is determined by the OPP. We have given them more money than they've had in the past, and they determine how they allocate it. I'm just—

**The Speaker (Hon. Michael A. Brown):** Thank you, Minister. Supplementary.

**Mr. Dunlop:** Minister, maybe you should reprint page 96 of this book, then. Look at the numbers for yourself. We have witnessed this past weekend the most gruesome bloodshed in the history of our province. It was gang related, gun related and drug related. Minister, will you go back to the cabinet table and properly fund the provincial weapons enforcement unit, the child pornography section, the drug enforcement section, the anti-racket section and the crime prevention division so that the Ontario Provincial Police, that force, can do their job with the best resources possibly available to them?

**Hon. Mr. Kwinter:** I just listed for the member the enhancements that we've given to the OPP. You should understand that the reason I was so critical on Monday was that the OPP have done an incredible job. I was aware of information. They certainly had the resources that, as soon as they found out about this tragedy that took place, they were able to go in and, the same day after they performed the autopsies, they arrested the five perpetrators. Now, that isn't an indication that they don't have the resources to do it.

I have a great deal of faith in the OPP. They provide a fabulous service to the people of Ontario. We should all be proud of them, and they're getting adequate funding.

### ONTARIO BUDGET

**Ms. Andrea Horwath (Hamilton East):** My question is for the Minister of Finance. Today's Ontario alternative budget says, "The McGuinty government should be embarrassed by its response to child care ... Ontario should be taking the lead on child care, moving forward with its own plan." Minister, the alternative budget shows that you actually have the money to make the right choice on child care. Instead, nine out of 10 families are still without a child care space in the province of Ontario. When are you going to keep your own promise and invest the \$300 million that you promised into child care in Ontario?

**Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet):** To the Minister of Children and Youth Services.

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** I'm really happy to have the opportunity to address this. I'm still looking forward to the support of the NDP for our child care plan, but even without that support, I'm very pleased that our government has sustained every single space that has been created since the start of this 2005 agreement—every single space. That represents more than 50% of the three-year target that we will have achieved just halfway through that plan.

As evidence of support for what our government has done, Kira Heineck, executive director for the Ontario Coalition for Better Child Care, said with regards to our budget, "The move to create long-term stability for the development of the Best Start plan in the face of uncertainty of future federal policy is a sound policy goal and demonstrates—"



1430

**The Speaker (Hon. Michael A. Brown):** Thank you. Sit down, Minister. The member for Beaches–East York.

**Mr. Michael Prue (Beaches–East York):** Back to the Minister of Finance: We've seen that you're clawing back the money for children. You're also clawing back the national child benefit supplement from our poorest children. But there are also other things you're clawing back. You're clawing back the \$150 million in federal housing money. You're pocketing the money instead of building the affordable housing Ontarians need. On top of that, you're cutting the affordable housing program almost in half in your budget, from \$111 million last year to \$62 million this year.

Minister, how, in all conscience, can you ask the federal government for more money when you won't even spend the money they gave you on families, housing and the people who need it?

**Hon. Mrs. Chambers:** To the Minister of Finance.

**Hon. Mr. Duncan:** This government has an unequalled record in dealing with the vulnerable people of this province, and we're proud of it. We've started today.

When you raised electricity prices 43%, did you do anything for low-income people? No. When you were given choices, as a government, to deal with low-income situations, let's remember what you did: You raised the gas tax 30 times. You cut mental health funding by more than \$65 million. You presided over a doubling of the welfare rolls in this province. Your record is shameful and your question is shameless.

We have invested in increasing the minimum wage. We have raised social assistance benefits. We acknowledge that we want to do more and we're moving to do more. We have made permanent the incremental claw-back monies for the years we've been in power. We acknowledge there's more to do. The people of this province trust this government to deal with the vulnerable and—

**The Speaker:** Thank you. Sit down, Minister.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mrs. Liz Sandals (Guelph–Wellington):** My question is for the Minister of Health and Long-Term Care. Your ministry put out estimates yesterday that showed that growth in the utilization of drugs is not as high as expected. If that is the case, why is there a need to change the system?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** We were pleased yesterday to table our estimates and, alongside those, to table an explanation note with respect to 2005-06. We had projected that our drug costs and utilization might increase by as much as 15%, but at the end of the day it came in around 10%. This, of course, is progress from a financial standpoint.

What we seek to do with the package of reforms that we'll be moving forward with tomorrow is to get the best possible value for the dollar for these important investments, to be able to enhance access for our patients. I think it's important to note that while the utilization rates

are lower than was projected, any growth that is occurring beyond that of economic growth does pose a threat for the sustainability of health care. Accordingly, we have at all times the obligation of doing the best we can with taxpayers' money and, accordingly, it's necessary to try and make sure that we achieve all of the possible benefits that come from the fact that we are a huge volume purchaser.

**Mrs. Sandals:** The minister has spoken about inefficiencies in the existing system. Could he provide more details on those inefficiencies?

**Hon. Mr. Smitherman:** As I said at the tail end of the first answer, one of the circumstances that has been challenging for us as we've sought to do this comprehensive review of Ontario's drug system is that there seem to be very many cases where the volumes that we're purchasing are not necessarily being respected. We think it's important to get respect for the taxpayers' dollars. The retail adage applies here: "How do we do it? Volume." But when we look very closely at the costs that we're paying for our drug product, we don't see at all counts a recognition for these extraordinary volumes.

The Ontario taxpayer, the Ontario health care system, is one of the largest purchasers of drug products to be found. We're a very, very good customer. We seek to be in a position to support those products which are truly innovative, and to do it faster and in a more transparent way. But fundamentally, we think it's important on behalf of the taxpayers of Ontario that we achieve all the benefit we can from the extraordinary volumes that we're purchasing. Accordingly, we think that we can gain greater efficiency on this score.

#### NATIVE LAND DISPUTE

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** To the Premier: As you well know, since February 28 a group of people have been occupying a subdivision under development just south of Caledonia and east of Six Nations. I've walked in to this occupation a number of times, and I can assure you that all concerned wish for a peaceful resolution. However, this standoff has been running for well over six weeks now. Premier, where is your leadership on this? What have you done to resolve this dispute?

*Interjection.*

**Mr. Barrett:** I ask for some respect for the people down there.

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I'll refer this to the minister responsible for aboriginal affairs.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I very much appreciate the question from the member. This is a very serious situation, as the member knows, and I want to assure him that the Ontario government has been on top of the situation. As we speak now, a meeting is going on with all the parties involved in this. We've had people on the ground over the last few days talking to the various parties in preparation for this meeting. There is a pro-



posals that is being considered today at this meeting among all parties. I have to be very hopeful that we're going to see a peaceful end to this situation.

**Mr. Barrett:** Premier, you have bounced this over to your minister responsible for aboriginal affairs. I'm assuming that when the minister makes reference to "all parties," he is also referring to the federal government and, I would hope, referring to the people who are right within that site. What I will say, however, is that all people locally see is the OPP. They see the provincial police; they don't see the RCMP or Canadian forces. They clearly have a perception that this is a provincial issue. I'm told by the federal government that this is a provincial issue.

Premier, this is right your own backyard: It's merely 90 minutes from Queen's Park. I can walk you in. I can walk you, Minister, in to the site. My point is, it has now been six weeks of strife and turmoil for all concerned. We've seen six weeks of you turning your back. The question is, when will you step up to the plate, take some responsibility and show—

**The Speaker (Hon. Michael A. Brown):** The question has been asked. Minister?

**Hon. Mr. Ramsay:** First of all, I'd like to assure the member that the province has been taking a lead role in this. In fact, I've been in daily contact with Minister Jim Prentice of the federal government in regard to this. I have been speaking to the municipal official on the ground, Mayor Trainer, after her meeting with Jim Prentice in Ottawa on Friday.

I've also been talking to the developer, the two Henning brothers, the owners of Henco, and understand, and quite frankly I expressed the government's sympathy and concern for the financial situation that they're in, and said to them that we're also there to help them through this as we work to resolve this in a peaceful manner.

#### FAMILY FARMS

**Mr. Howard Hampton (Kenora-Rainy River):** My question is for the Premier. In the election, you promised farmers a new generation of farm income supports. Tim Strachuk and Julien Papineau are grains and oilseeds farmers from Essex county here today with a clear message for you and your government: Quit blaming Ottawa. Grains and oilseeds farmers need an immediate cash infusion and a risk management program.

Young farmers like Tim and Julien are the future of Ontario's food industry, yet your government is allowing them to be pushed off the lands because of punishing American subsidies. Premier, will you immediately implement a long-term, made-in-Ontario risk management program, as Quebec and Alberta have done, or do you subscribe to the view of your assistant deputy minister for agriculture, that the family farm is dead and only large commercial farm operations should survive?

1440

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Agriculture.

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I'm very happy that there are representatives from grains and oilseeds here in the Legislature today and that they will be able to hear from me directly with respect to this very important issue.

I have been at the table with your representatives since November and made it very clear that the province of Ontario agrees with your representatives that you deserve a multi-year strategy, in partnership with this government and the federal government. I've made it very clear as well—and I had the opportunity to meet with the federal minister this week—that there is an urgency in your sector that needs to be dealt with right away. Ontario is here. We're at the table, and we have dollars available. We are asking the federal government to come and talk with us so that we can provide the resources, provide the support that this industry needs and deserves today.

**Mr. Hampton:** Minister, you seem to say one thing here today, but your assistant deputy minister says very loudly and very clearly that he doesn't think there's any room for the family farm in Ontario anymore. And it's clear that, even with the announcements and reannouncements of your government, the \$80 million that went to grain and oilseed farmers didn't do the job. When you lose over \$100 per acre, your \$80 million works out to only \$5 to \$15 an acre, which means farmers are deep in trouble. Farmers need an immediate cash infusion of \$400 million to offset their 2005 farm losses.

My question again, Minister: Do you side with your assistant deputy minister, that there's no room for the family farm in Dalton McGuinty's Ontario, or will you follow leaders like Quebec and Alberta and immediately implement a long-term risk management program?

**Hon. Mrs. Dombrowsky:** First of all, I would say to the honourable member, if you check the public record, you will very clearly see that this government has been there for all farmers, regardless of the size of farm, regardless of the type of farm and regardless of where they are located. Our government has provided \$125 million, because we recognize the immediate hurt in the agriculture sectors. We have been there, and we continue to be there. We have money at the table. We want to work with farmers. We want to accommodate what they've indicated very clearly they need, and that is a multi-year partnership so they don't have to come to the province and to the federal government every year. We want that partnership with the federal government; that's who has to come to the table. We're here.

#### EDUCATION

**Mr. David Orazietti (Sault Ste. Marie):** My question is to the Minister of Education. But before I say anything further, I want to congratulate the minister on her appointment.

We've come a long way in reversing the damage done to the education system by the former Conservative government, but there is still much work to do. Over the past couple of weeks, we've been debating Bill 78, the



student performance bill, in which we're proposing amendments to the Education Act and the Ontario College of Teachers Act. These changes would, if passed, provide the legal support necessary to further support our government's goal of increasing student achievement. Minister, can you please tell me how this act relates to our overall plan to improve education?

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** I want to congratulate this member who, with a long history in the field of education, is known in Sault Ste. Marie as a great teacher. We're pleased to have him here as part of our caucus.

I am very pleased to speak about the bill that is in debate in the House now. This bill is about the modernization of education. This House doesn't see many education bills that are intended to move education forward. This bill is specifically related to student success. It is about the modernization of our systems, to be able to drive success for our students. The bill that we're debating in this House is, in fact, about our students. I hope the kids here in the House are Ontario students. The bill that we're talking about is one for you.

**Mr. Oraziotti:** As a former teacher who was subjected to the NDP's social contract and was continually attacked by the previous government, whose education minister set out to deliberately create a crisis in education, I can tell you that, from the parents, students and teachers I've been speaking with, our government is making huge strides in creating greater stability, with respect for all parties, to ensure that students in Ontario reach their maximum potential.

Minister, I also understand that this bill provides important changes for new teachers since the bill is proposing to eliminate the poorly devised teacher testing program. As we move forward with this legislation, what are we doing to ensure that teachers have the support and resources they need to ensure our students succeed?

**Hon. Ms. Pupatello:** I am happy to report that much work was done by my colleague who was Minister of Education. Minister Kennedy brought forward some significant improvements for teachers, and in particular for new teachers. What was created was the new teacher induction program. That is meant to replace what was largely seen as an ineffective, pen-and-paper test with real assistance to bring new teachers into the classroom. We are hearing very good reports about this and we look forward to seeing significant differences and improvements, once again as we strive for success for students in our classrooms.

## TOURISM

**Mr. Ted Arnott (Waterloo-Wellington):** My question is for the Premier. The people who work in Ontario's tourism industry are planning ahead for the summer season, but they are facing extraordinary challenges: higher electricity prices announced today because of the provincial government; a massive decline of visitors from the United States, partly because of the provincial

government; and high fuel costs, partly because of the provincial fuel tax—all of these factors under the control of the provincial government. As if this weren't enough, Ontario tourism is also challenged by the strength of the Canadian dollar and the looming prospect that our American visitors may soon need a passport to get back home.

We all know the provincial government is fixated on Toronto and the recent budget was Toronto-centric, and the Premier's response, when I last raised this, clearly illustrated that fact. But what about the rest of the province? Why is the government unwilling to assist the tourism industry outside Toronto?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Tourism.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** As the member would understand, the operating budget for the purpose of promoting tourism right across the province has remained relatively the same over the years. He would recognize that substantial investments have been made right across the province. This morning, for instance, I was talking to people in Cornwall on the radio station about an \$80,000 investment being made there for the premier destination program. My parliamentary assistant, Jim Brownell, made the announcement yesterday about that. That's an example you'll see right across the province as strategic investments are being made.

Despite the fact that your leader keeps saying in the House that the government is spending too much money—he calls us spendaholics, that we should be retrenching—we are making strategic investments right across Ontario to ensure tourism continues to thrive. But what we will need is some substantial help from the federal government on the issue of border crossings. I know—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary.

**Mr. Arnott:** In recent days there has been a recurring pattern in this House, where the provincial Liberal government blames all its shortcomings on the new federal government. And here they go again.

Ontario's tourism industry is a \$21-billion industry, directly employing more than 213,000 people. It is because of insufficient support from the provincial government for marketing that many of those jobs are now at risk. Instead of pointing fingers at the new, accountable government in Ottawa, when will the provincial government take responsibility for what it can do to promote all of Ontario as a tourism destination of choice?

**Hon. Mr. Bradley:** First of all, I've got to say to my friend that I'm very much surprised he would spend his time in the House trying to defend the indefensible, that being the position taken by the Prime Minister on an issue, when asked about it after his visit to Washington. I have a friend, Rob Nicholson, who is the government House leader federally. Back in the fall of 2005, Rob Nicholson was saying exactly the same thing I am



saying. I notice that, as a result of this issue being raised in this House, in fact the external affairs minister has now denied the Prime Minister thrice, and is in fact on this occasion now saying that he's going to reopen the issue the Prime Minister was prepared to cast aside.

My advice to your leader is to pick up the phone and get onside of the passport issue, because that would have the most devastating effect on the province of Ontario of any initiative brought forward.

1450

#### DUFFERIN-PEEL CATHOLIC DISTRICT SCHOOL BOARD

**Mr. Rosario Marchese (Trinity-Spadina):** I have a question to the Minister of Education: Minister, last week your ministry ordered the Dufferin-Peel Catholic school board to make a series of cuts to the services they provide students. You demanded a concrete response by the end of the week, which was last Friday. Can you tell the House what, if anything, the trustees have told you?

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** I think we should rephrase and make the information quite accurate in terms of what has happened with the Dufferin-Peel Catholic board.

First of all, there is a longstanding, lively relationship between our ministry and this board as it pertains to their budgeting process. Over the course of the last several months, we have been working with them to speak with them. Ultimately, the former minister did send education experts, people with long legs in the education fields, to be able to walk in there and say, "Here's what we are going to look for," and "Here's what we found." The report was then tabled with the trustees, and this past Friday the trustees met. I am now looking forward to working with this board to resolve their issues.

What we have said publicly and privately, from my perspective from this chair, has been the same: We anticipate working closely together to resolve our issues.

**Mr. Marchese:** Minister, I know you have received several letters from the trustees. One of them says the following: "We have taken a stand. We have placed children first! It is not our job to make cuts that will result in an inferior, diminished system. By filing a deficit budget, we have said to the ministry, in the strongest way we have at our disposal, that current funding levels are not good enough."

They're saying they need money. The investigator, in his report, is very clear on this matter. When will you mend the Conservative funding formula so that schools and boards don't have to cut valuable education programs? When will you do that?

**Hon. Ms. Pupatello:** I want to say that what's very good about this board and our ministry is that we agree on one thing: that we are here for the kids in those classrooms and we are here for students' success, from JK right through to high school and beyond. That's what we're here for. We're dealing with a school board right

now that in the last year had a 3% increase in enrolment and a 19% increase in funding.

As a new minister for this portfolio, I look at this and I say, why are they in deficit? Let's have a closer look. We did that, and we do have questions, as do the parents who have children in this school board. I have said very clearly, as late as yesterday, they can choose to have a very public discussion, or they cannot waste that kind of time; they can roll up their sleeves and get to work, as I am in this ministry, because we are here for the kids. We're going to fix the problems with Dufferin-Peel Catholic board, both sides, working collaboratively—

**The Speaker (Hon. Michael A. Brown):** Thank you.

#### FISH STOCKING PROGRAM

**Mr. Bill Mauro (Thunder Bay-Atikokan):** I'd like to ask the Minister of Natural Resources if he could explain a press release from the member from Oshawa about chinook salmon.

I was in the House and heard the minister's answer to the member's question. Having read the member from Oshawa's press release, I'm wondering if the member from Oshawa was in the House to hear the answer.

What is the position of the government of Ontario on chinook salmon stocking, and is the member from Oshawa's press release inaccurate?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I'm very pleased to have this question to clarify the very erroneous press release that was put out by the member from Oshawa. I don't know why he is assuming what government policy is, but he certainly caused a lot of concern in the angling community by just inventing facts that aren't true. I'd like to clear it up by saying and assuring the member—

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** It may be an honest mistake.

**Hon. Mr. Ramsay:** I'm sure it was an honest mistake—that we are continuing to stock—

**The Speaker (Hon. Michael A. Brown):** I'd ask you to withdraw the "not true" remark.

**Hon. Mr. Ramsay:** I withdraw. I would like to say that we are going to continue, as he would know as the previous Minister of Natural Resources, to stock chinook salmon in Ontario.

**Mr. Mauro:** I'm happy to know that the ministry is continuing to develop fish management plans that ensure ecological sustainability while at the same time enabling Ontarians to maintain fishing traditions.

Minister, can you please inform the Legislature how the ministry determines stocking levels for salmon or any stock species?

**Hon. Mr. Ramsay:** I know, as our member knows and as the ex-minister should know, that all fish rehabilitation, whether it be stocking or habitat improvement, is based on science. You also look at the factor of the number of prey fish that are in that water body. You want



to make sure, in this case, that the salmon, the top predator that it is, has enough food to sustain itself. That's why the levels of stocking are adjusted from year to year.

The member knows that. He should maybe check with us before he sends out these press releases.

### PROPERTY TAXATION

**Mr. Tim Hudak (Erie—Lincoln):** I have a question to the Premier. In addition to the 56% increase in hydro prices of the McGuinty government and new taxes and user fees, residents across the province of Ontario are experiencing skyrocketing property assessment increases. Brian Maguire, who is the chair of CORRA—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Stop the clock. We have only about five minutes left. Let's keep it calm. The member for Erie—Lincoln.

**Mr. Hudak:** Brian Maguire, the chair of CORRA, the Confederation of Resident and Ratepayers Associations, representing taxpayers here in the city of Toronto, has joined us in the gallery here today. He would like to know if the Premier will support the Homestead Act, Bill 75, which will cap property assessment increases at 5% per year.

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Finance.

**Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet):** First he starts the fire, and now he wants to try to put it out. That's what this is all about. You should listen carefully to what he's saying, because this is a gang that in eight attempts—not one, not two, not three, not four, not five, not six, not seven, but eight attempts—you did nothing.

Now the member proposes to cap assessments. Let me tell you what that could mean. That could mean that low-growth areas will be paying a higher relative portion of property taxes than high-growth areas. That's why you and your government rejected it not once, not twice, not three times, not four times, not five times, not six times, not seven times, but eight times. You were wise to do that, because this system is like that old carnival game where you hit something down here and something pops up over there. Things popped up eight times for them. We're going to get it right.

**The Speaker:** Thank you. Supplementary.

*Interjection.*

**The Speaker:** Minister, sit down. Supplementary.

**Mr. Hudak:** That was a disappointing but sadly unsurprising response from the Minister of Finance, a Minister of Finance who, as energy minister, presided over massive spikes in energy prices, was a member of a cabinet that increased taxes substantially on working families, seniors and young people, and who is obviously out of touch with the challenges faced by seniors and working families in Dalton McGuinty's Ontario.

Minister, you know it's not just CORRA but other ratepayer groups, including the Federation of North Toronto Residents Associations, the Federation of Urban

Neighbourhoods—Ontario, the Canadian Snowbird Association, CARP, among other organizations, which have come fully behind the Homestead Act, which would put a cap on assessments at 5% a year and finally bring some relief.

I know the minister supports higher taxes and higher fees. Surely, Minister, you'll have some mercy for Ontario taxpayers and dare to back this act—

**The Speaker:** The Minister of Finance.

**Hon. Mr. Duncan:** We increased the seniors' property tax credit, and what did he do? He voted against it. In this budget, we have an enhancement to the seniors' property tax credit, and what did you and your leader do? You voted against it. That gang made a mess of the assessment system in this province.

1500

We had a thoughtful report from the Ombudsman, with 22 recommendations that we're working on. We're not going to make the mistakes that they made. We're not going to try to pretend that you can fix this easily. What we're going to do is make the right decisions. We're going to make decisions that will serve the interests of all ratepayers across this province. In the words of your own local newspaper, "Hudak acknowledged ... the problem is an unexpected result of the legislation" he and "his fellow Conservatives pushed through."

Our commitment—

**The Speaker:** Thank you, Minister. Stop the clock.

*Interjections.*

**The Speaker:** Order. I can wait. New question.

### GAMING CONTROL

**Mr. Michael Prue (Beaches—East York):** My question is for the Minister of Public Infrastructure Renewal. Minister, on September 16, 2005—some six months ago—I wrote to your office seeking assurances that you would honour a commitment that there would be no additional racetrack slots beyond those that had been promised for Picov Downs and Quinte Exhibition, and I also sought your assurance that there would be no further commercial or charity slots anywhere else in Toronto.

To date, six months have gone by, and you have never written me back. So I am asking you here in this House today: Will you honour the commitment that was made by your predecessor, the now minister of economic renewal? Will you honour what he had to say from January 20, 2005, and ensure that there will be no further gaming available in east Toronto? The people of my riding want to know that—

**The Speaker (Hon. Michael A. Brown):** The question has been asked. Minister?

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** I want to thank the member for the question. My colleague Minister Cordiano announced on January 20, 2005, the government's policy around gaming expansion. That remains the government policy.

I find it somewhat passing strange that it was he and his party which introduced casino gambling into the

province of Ontario and that he now rails against this particular move. Our government isn't only satisfied with that; we've taken a significant responsible gaming message and a responsible gaming program to make sure that we are achieving the revenues for the people of Ontario to invest in health care, education and infrastructure, but we're also ensuring that we are there to help, to support, to research, and to provide the necessary services to those who find themselves in some crisis, working with my colleagues in health and in health promotion. We've taken a balanced approach—

**The Speaker:** Thank you, Minister. This completes the time allocated for oral questions.

## PETITIONS

### FREDERICK BANTING HOMESTEAD

**Mr. Jim Wilson (Simcoe–Grey):** “To the Legislative Assembly of Ontario:

“Whereas Sir Frederick Banting was the man who discovered insulin and was Canada's first Nobel Prize recipient; and

“Whereas this great Canadian's original homestead, located in the town of New Tecumseth, is deteriorating and in danger of destruction because of the inaction of the Ontario Historical Society; and

“Whereas the town of New Tecumseth has been unsuccessful in reaching an agreement with the Ontario Historical Society to use part of the land to educate the public about the historical significance of the work of Sir Frederick Banting;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Minister of Culture endorse Simcoe–Grey MPP Jim Wilson's private member's bill entitled the Frederick Banting Homestead Preservation Act so that the homestead is kept in good repair and preserved for generations to come.”

Obviously, I agree with the petition, and I've signed it.

### LONG-TERM CARE

**Mr. Rosario Marchese (Trinity–Spadina):** “To the Legislative Assembly of Ontario:

“Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

“Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

“Whereas those unacceptable care and service levels are now at risk of declining;

“We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007).”

I support this petition.

### TUITION

**Mr. Richard Patten (Ottawa Centre):** My petition is to the Legislative Assembly of Ontario:

“Whereas the Ontario Liberal government has announced it will increase tuition fees in September 2006;

“Whereas the additional funding announced last year will be phased in over five years and will barely bring Ontario post-secondary education funding to the national average;

“Whereas this reality will mean that the climate of underfunding will persist for at least another four years and will consequently undermine efforts to improve the quality of education;

“Whereas tuition fees have already increased significantly over the past 15 years....”

It goes on to identify some other areas. It says:

“We, the undersigned”—all students—“support the Canadian Federation of Students' call to extend the tuition fee freeze and petition the Legislative Assembly to:

“—freeze or reduce tuition fees for all students studying in Ontario, effective September 2006; and

“—expand access to Ontario's new up-front grant program for all students in need, including continuing education, part-time, full-time, college, undergraduate and graduate students.”

### LONG-TERM CARE

**Mr. Gerry Martiniuk (Cambridge):** I have a petition provided to me by the Stirling Heights long-term-care centre of 200 Stirling Macgregor Drive in Cambridge, Ontario, with hundreds of signatures of good citizens of Cambridge, and directed to the Legislative Assembly of Ontario:

“Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

“Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and



"Whereas these unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I agree with the contents of the petition and sign my name thereon.

### TUITION

**Mr. Rosario Marchese (Trinity-Spadina):** I have thousands of names on these petitions, and they read as follows:

"Whereas the Ontario Liberal government has announced it will increase tuition fees in September 2006;

"Whereas the additional funding announced last year will be phased in over five years and will barely bring Ontario post-secondary education funding to the national average;

"Whereas this reality will mean that the climate of underfunding will persist for at least another four years and will consequently undermine efforts to improve the quality of education;

"Whereas tuition fees have already increased significantly over the past 15 years while the quality of education has declined;

"Whereas some have argued that rising tuition fees are acceptable because the government has increased student aid funding, but this new investment will be clawed back through tuition fee increases; and

"Whereas the vast majority of Ontario families will not qualify for the new Ontario grant program and will have to rely on debt to pay the higher fees; and

"Whereas giving Ontario families more access to debt to pay higher tuition fees is not a long-term solution to the funding crisis in Ontario's colleges and universities;

"Therefore we, the undersigned, support the Canadian Federation of Students' call to extend the tuition fee freeze and petition the Legislative Assembly of Ontario to:

"—freeze or reduce tuition fees for all students studying in Ontario, effective September 2006; and

"—expand access to Ontario's new upfront grant program for all students in need, including continuing education, part-time, full-time, college, undergraduate and graduate students."

I support this petition.

1510

### LONG-TERM CARE

**Mrs. Maria Van Bommel (Lambton-Kent-Middlesex):** This is a petition sent by my constituents at Bab-

cock Community Care Centre in Wardsville, and their families.

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years...."

I'm pleased to present this to the page from my riding, Jenna Zwambag, who lives about 10 minutes away from Wardsville. Thank you, Jenna.

**Mr. John O'Toole (Durham):** In the last few weeks, I, like many other members, have visited many nursing homes: Community Nursing Home in Port Perry, Fosterbrooke Long Term Care Facility, Strathaven and Marnwood. On their behalf, I'm reading a petition into the record, and I'm going to shorten up the petition.

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I'm pleased to support that in respect of the constituents of the riding of Durham.

### CANCER TREATMENT

**Mrs. Carol Mitchell (Huron-Bruce):** I have 116 signatures on this petition.

"Whereas Ontario has an inconsistent policy for access to new cancer treatments while these drugs are under review for funding; and

"Whereas cancer patients taking oral chemotherapy may apply for a section 8 exception under the Ontario drug benefit plan, with no such exception policy in place for intravenous cancer drugs administered in hospital; and

"Whereas this is an inequitable, inconsistent and unfair policy, creating two classes of cancer patients with further inequities on the basis of personal wealth and the

willingness of hospitals to risk budgetary deficits to provide new intravenous chemotherapy treatments; and

"Whereas cancer patients have the right to the most effective care recommended by their doctors;

"We, the undersigned, petition the Parliament of Ontario to provide immediate access to Velcade and other intravenous chemotherapy while these new cancer drugs are under review and provide a consistent policy for access to new cancer treatments that enables oncologists to apply for exceptions to meet the needs of patients."

I affix my signature to this petition.

#### LONG-TERM CARE

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** I am pleased to present this petition on behalf of long-term-care centres in my riding. I was pleased to meet with the administrators of those centres last week. This particular one comes from Valley Manor in Barry's Bay.

**The Speaker (Hon. Michael A. Brown):** We need to remember that we are just to read petitions, not editorialize about them. I want to tell all members at this point that it's not necessary to read the entire petition. You can paraphrase it. We have a lot of members who want to put petitions in every day, and if we do that, we get more petitions in. So thank you very much.

**Mr. Yakabuski:** Thank you very much.

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I support this petition. I affix my name to it, and I will send it down to the table with Leah.

#### GASOLINE PRICES

**Mr. Gilles Bisson (Timmins–James Bay):** I have a petition here in regard to the skyrocketing price of gas. It reads as follows:

"Petition to the Legislative Assembly of Ontario:

"Whereas the average price of gasoline has skyrocketed to over \$1 a litre, the highest price at the pumps in" a long time;

"Whereas high gas prices are causing great hardship" to Ontario "motorists, small business owners and industry;

"Whereas the McGuinty Liberals promised to take action to keep gas prices low;

"Whereas the McGuinty Liberals have broken that promise and have done nothing to help ordinary families getting hosed at the pumps;

"We petition the Ontario government to immediately pass Bill 74, the Keep Your Promises at the Pump Act, which would make the Liberals keep their promise to freeze gas prices for 90 days ... the Keep Your Promise on the Gas Price Watchdog Act, which would force the Liberals to keep their promise to establish a gas price watchdog to protect consumers...."

I have signed that petition, and I know Mr. Bartolucci will do the same.

#### COMMUNITY MEDIATION

**Mr. Mario G. Racco (Thornhill):** "Support Community Mediation

"Whereas many types of civil disputes may be resolved through community mediation delivered by trained mediators, who are volunteers who work with the parties in the dispute; and

"Whereas Inter-Cultural Neighbourhood Social Services established the Peel Community Mediation Service in 1999 with support from the government of Ontario through the Trillium Foundation, the Rotary Club of Mississauga West and the United Way of Peel, and has proven the viability and success of community mediation; and

"Whereas the city of Mississauga and the town of Caledon have endorsed the Peel Community Mediation Service, and law enforcement bodies refer many cases to the Peel Community Mediation Service as an alternative to a court dispute; and

"Whereas court facilities and court time are both scarce and expensive, the cost of community mediation is very small and the extra expense incurred for lack of community mediation in Peel region would be much greater than the small annual cost of funding community mediation;

"Be it therefore resolved that the government of Ontario, through the Ministry of the Attorney General, support and fund the ongoing service delivery of the Peel Community Mediation Service through Inter-Cultural Neighbourhood Social Services."

#### EDUCATION FUNDING

**Mr. Ernie Hardeman (Oxford):** I have a petition signed by a great number of residents in Oxford county. It's to the Legislative Assembly of Ontario:



"Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding, solely because they are not Catholic;

"Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

"Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

"Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

"Whereas Ontario is the only western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces except the Atlantic provinces fund faith-based schools and have thriving public school systems;

"Whereas the cultural survival of the affected minority groups is at stake; and

"Whereas faith-based schools produce responsible and productive citizens; and

"Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable and protects and enhances the public interest;

"We call on the Ontario Legislature to pass legislation to provide equitable funding in respect of all faith-based schools in Ontario without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded."

I present this petition on their behalf.

1520

## ORDERS OF THE DAY

### CLEAN WATER ACT, 2006

#### LOI DE 2006 SUR L'EAU SAINE

Ms. Broten moved second reading of the following bill:

Bill 43, An Act to protect existing and future sources of drinking water and to make complementary and other amendments to other Acts / *Projet de loi 43, Loi visant à protéger les sources existantes et futures d'eau potable et à apporter des modifications complémentaires et autres à d'autres lois.*

**The Speaker (Hon. Michael A. Brown):** Minister?

**Hon. Laurel C. Broten (Minister of the Environment):** I'm very pleased to rise today to begin the debate

on second reading of Bill 43, the proposed Clean Water Act. I'll be sharing my time with my parliamentary assistant, John Wilkinson, the member for Perth-Middlesex.

Our government is breaking new ground in safeguarding our drinking water with our proposed bill. This unprecedented piece of legislation sets prevention above all else as the fundamental principle.

As the honourable members know, water is the most critical element in supporting life. Millions of people around the world struggle to find and bring home safe, clean drinking water for their families, and it's one of the toughest challenges that they meet in their everyday life. In the developing world, some 80% of all diseases are related to water, and each and every year, millions of people die either from dehydration or poor sanitation. Most are young children under the age of five.

Water quality may well be the single most pressing environmental issue in the world today. Yet, as a society, we have not always invested the attention and level of respect that this life-sustaining resource deserves. Here in Ontario, with more than a quarter of a million lakes, rivers and streams, we are blessed with a great abundance of water. We all share a responsibility to protect these resources and to ensure that people everywhere, all across our province, have drinking water that is safe, clean and reliable; our health and well-being depend on it.

We need to be confident that the water coming out of our taps is safe to drink and that the water sources we rely on are clean and free from contamination. Unfortunately, we've seen what happens when that public confidence is lost. No one can or should ever forget Walkerton and those terrible events in May 2000, when the town's water source became contaminated. Seven people died and thousands became seriously ill. Some may suffer lifelong health problems, particularly kidney problems, as a result.

Sadly, although the water contamination in Walkerton was clearly one of the worst situations in modern Ontario history, it was not an isolated incident. People from the township of Beckwith and the city of Kitchener have also witnessed first hand what happens when their drinking water sources become contaminated. We must be vigilant in protecting people against these kind of threats, just as we must carefully monitor new and emerging threats, such as lower water levels related to global warming.

People in communities large and small throughout this province have told us loudly and clearly that preventing contamination and ensuring clean, safe drinking water is critical. This bill, the proposed Clean Water Act, answers their call.

If Bill 43 is passed by this Legislature, the people of Ontario will have some of the best-protected drinking water in the world.

Si le projet de loi 43 est adopté par l'Assemblée législative, les résidents de l'Ontario auront l'une des eaux potables les mieux protégées au monde.

I'm proud to point out that it is with the wholehearted support of environmental and health experts that I bring



forward this bill for second reading. In the words of Dr. Greg Flynn, president of the Ontario Medical Association, who endorses this bill:

"Clean water is a fundamental determinant of public health. The Walkerton tragedy showed us that Ontario's drinking water sources needed better protection from pathogens and other contaminants. The Clean Water Act is good preventative medicine for Ontario."

The proposed Clean Water Act focuses on prevention. Preventing a problem from happening in the first place is far better than attempting to fix it after the fact. It would empower local communities to take steps to prevent potential threats to local drinking water from becoming serious problems. It would do this by requiring a source protection plan for each watershed in Ontario.

The proposed Clean Water Act is locally driven. We believe that local authorities are in the best position to determine the protection measures that are needed, how these measures should be carried out and who should take responsibility for leading them.

The proposed act will be based on the best available science. If we are going to effectively protect our drinking water, we need to know how much we have in reserve, how it replenishes itself and what threats exist to our supply.

I want to highlight section 13 of the proposed act, where we indicate that local source protection committees will have to prepare assessment reports that provide unprecedented detail on the local water supply. I invite members to review subsection 13(2), which sets out the requirement for water budgets, clear identification of vulnerable areas, intake protection zones, and lists of activities that could be seen as threats. This would be the first time in Ontario's history that watershed protection would be based on comprehensive, scientifically sound information. What's more, section 98 of the bill would give my ministry rule-making authority to ensure that a high level of detail is provided in assessment reports. Our government has committed over \$67 million to fund source water protection research by conservation authorities and municipalities.

We also want to encourage voluntary action to resolve threats to drinking water. We believe that the vast majority of identified threats should be able to be resolved by local officials and landowners. Our government has consulted widely across the province on the issues of water quality and water quantity, and we have heard broad community-based agreement that we need to do a better job of protecting our water resources, from the source to the tap.

Over the past two months, I have travelled throughout the province talking to people about our proposed Clean Water Act. I've met with mayors, farmers and conservation authorities as well as health authorities, water experts and, of course, citizens, and I have absorbed what they have had to say about the protection of their drinking water. My ministry officials have also consulted widely with community leaders and local associations to gather additional input on water quality and water quantity issues. Based on all of the good and thoughtful

advice we have gathered, I am confident that we are taking the right steps to protect Ontario's drinking water with the proposed Clean Water Act.

Throughout my discussions over the past couple of months, local stakeholders have consistently expressed support for the principles enshrined in the proposed bill. People right across Ontario agree that water protection must be viewed as a shared responsibility and that local action is the most effective means of ensuring our water quality and supply.

Les Ontariens et les Ontariennes conviennent que la protection de l'eau est une responsabilité qui doit être partagée et que les mesures prises à l'échelle régionale constituent de la meilleure façon d'assurer la qualité de l'eau et son approvisionnement constant.

Perhaps most importantly, everyone I spoke to agreed that we need an approach that is both practical and workable and one that makes sense in all areas of the province in both rural and urban communities. I've had the opportunity to meet with a number of farmers and people who live in smaller towns, and I've learned that they're still somewhat uncertain about what the Clean Water Act would mean for their land and their communities. We've heard their concerns, and we take them very seriously. We know that some of the very best stewards of our land and water are our farmers. We need to ensure that the legislation we propose supports the viability and prosperity of farms and small towns right across rural Ontario.

I want to say what a tremendous privilege it was for me to meet so many community leaders from Sudbury to Windsor and many points in between, and I want to assure them and the members of this House that we have listened carefully to what they have told us. I'd like to tell this Legislature about a few of the people I met during my travels and what they told me.

In Windsor, I met with Tom Wilson and representatives from Essex region and I heard that because of a spill upstream, Windsor had to close its water intakes, and the whole community came very close to using up its water reserves. In Sudbury, I met with Deputy Mayor Ron Bradley and heard about the detailed studies they've undertaken there to protect their main water resource, Ramsey Lake, against municipal and industrial pollution. In North Bay, Mayor Victor Fedeli told me about the excellent collaboration to protect and monitor Trout Lake. I learned from Marc Charron, the chair of the local conservation authority, about the challenges of protecting a watershed that runs from Lake Nipissing all the way to the Ottawa River. In Guelph and Hamilton, I met with students and researchers who will shape our next generation of public policy around water protection. It was a wonderful opportunity to hear their insights and feel their enthusiasm. In fact, it was a powerful reminder that our actions must be based on sound science.

1530

In the Kitchener area, I spoke with Peter Krause and the Grand River Conservation Authority, along with regional chair Ken Seiling, about the unique challenges



they face. In their region, they are working to find a balance when rapidly growing communities and industries are located close to wellheads. I look forward to visiting Walkerton and Ottawa in the weeks ahead, and hearing from their local officials and water experts with respect to their views of the legislation.

Staff from my ministry had the opportunity to meet with Ontarians in communities such as Woodstock, Ottawa, Orillia, Thunder Bay and Schreiber, and they have relayed back to me what they have heard. Everywhere we went, the message came through clearly: Clean water is a priority for the people of Ontario. Clean, safe drinking water is not only vital to the health and well-being of Ontarians; it is vitally important to Ontario's economic health and prosperity.

In essence, the proposed Clean Water Act is good for Ontario, and it is especially important for smaller rural communities. Bill 43 will give local communities the authority to make the decisions that affect their local water resources, and to take action to protect the sources of their water from contamination. It is important to highlight that local water protection plans would be developed through an open and transparent process and would include input from local residents, businesses and stakeholders.

Section 7 of the proposed Clean Water Act requires that each source protection authority would establish a drinking water source protection committee for their area. Section 7 also clarifies that it's my responsibility to appoint committee chairs, after considering the local authority's recommendations. This means that both the committees and their chairs will be the best, most knowledgeable and most representative group we can bring together with the common goal of ensuring safe, clean drinking water for their community.

Section 99 of the bill also requires that we would have the ability to make regulations governing the appointment of source protection committees. This is extra added assurance that each community will be fairly represented. Most importantly, it will help us replace the old piecemeal approach to water protection with something broad and inclusive. Where threats to local water sources are identified, the proposed Bill 43 would ensure the development of practical local solutions. Those solutions would give all the residents peace of mind and greater confidence in their water supplies.

However, I think it is important to point out that the proposed Clean Water Act is just part of our government's larger commitment to protecting the environment. That commitment rests on the belief that a clean environment is essential to a healthy and prosperous Ontario. Protecting our water resources includes safeguarding our Great Lakes and other inland waters, as well as preventing pollution and contamination from seeping into our lakes, rivers and aquifers.

All Ontarians deserve to have safe, clean, affordable water, and that requires protecting the natural sources of our drinking water and upgrading the essential infrastructure that delivers clean water to our taps. That is

why our government is putting into action a comprehensive water plan based on the belief that we must defend our resources now to protect them for the future.

We are strengthening protection for the Great Lakes through the Great Lakes Charter annex, a historic agreement that our government signed with the governments of Quebec and of our US neighbours, which bans water diversions and promotes conservation of water on both sides of the border.

We are also addressing the need to develop a water investment strategy for upgrading and replacing our province's essential water infrastructure to make sure that the water coming from our taps is clean, plentiful and affordable.

Our water plan is comprehensive and encourages good water practices by supporting our shared responsibility to protect and conserve our critical water supplies. Ontario's water plan to safeguard our water resources depends on the commitment and support of our many partners. Specifically, I want to recognize my colleagues, the Ministers of Public Infrastructure Renewal, of Natural Resources, of Northern Development and Mines, of Municipal Affairs and Housing, of Agriculture, Food and Rural Affairs, of Finance and of Economic Development and Trade. Each minister and each ministry is working in support of a progressive, strategic and comprehensive approach to preserving Ontario's water. Together we are working on an integrated water strategy, a plan to invest in Ontario's aging infrastructure and respond to the needs of all Ontarians for safe, sustainable and affordable drinking water.

Our commitment also involves working with municipal leaders and conservation authorities to protect and conserve drinking water for people in every community across Ontario.

Our government recognizes that in order to protect water, we need to have strong standards, clearly defined roles and responsibilities and the appropriate resources to do the job right. We need to both protect our water resources and deliver safe, clean, affordable drinking water. The proposed Clean Water Act will protect the quality and quantity of our natural water. We will ensure that lakes, rivers and aquifers are protected against contamination and depletion.

La loi proposée protégera la qualité et la quantité de notre eau naturelle. Nous nous assurons ainsi que nos lacs, nos rivières et nos aquifères sont protégés contre la contamination et le tarissement.

With our proposed Clean Water Act, I am convinced that we are taking the right steps for protecting and sustaining the quality of Ontario's water. We're taking action on the priorities and concerns of the people of Ontario. Whether you're a property owner, a parent, a farmer, a small business person, the mayor of a big city or a small village, we all want the same thing: clean, safe drinking water.

I call on all members to join me in supporting second reading of Bill 43. The House has a tremendous opportunity, starting today, to protect the future well-being of



millions of Ontarians. Surely that is one of the fundamental reasons that we are all here.

**The Acting Speaker (Mr. Michael Prue):** Further debate.

**Mr. John Wilkinson (Perth-Middlesex):** I want to join my friend the Minister of the Environment and thank her for allowing me to share with the leadoff today on second reading debate and to have this opportunity to outline for honourable members some of the highlights of Bill 43, the proposed Clean Water Act.

If passed, this legislation would play a major role in fulfilling our government's commitment to ensuring that all Ontarians have access to safe drinking water. We believe, along with Justice O'Connor, that protecting water at its source is the first vital step in providing safe drinking water, and to ensure that protection we need to prevent pollution from contaminating the lakes, rivers and aquifers that supply the water that comes out of our taps.

We also recognize that the best way to plan and carry out water protection measures is by viewing the entire watershed as a single, coherent entity. Moreover, the science of watershed protection has come a long way over the years. We are committed to capturing the benefits of that new knowledge by ensuring that Ontario's source water protection efforts are planned and implemented on a sound scientific basis.

We believe that everyone in Ontario has a right to safe, clean drinking water. We also believe that protecting our water resources is very much a shared responsibility. But because each community and indeed each watershed is unique, we are convinced that local authorities are in the very best position to plan and implement the protection measures that will ensure the safety of our drinking water. These fundamental principles are at the heart of Bill 43, the proposed Clean Water Act. Under the provisions of this groundbreaking legislation, local communities for the first time would be required to work together to create and implement plans that protect the sources of their drinking water.

If passed, Bill 43 would accomplish three key objectives: First, it would require local communities to look at any activities that could threaten their water quality and water quantity and to take action to reduce or remove the threat. Second, it would give local authorities the power to take preventive measures before a threat to the local water supply can develop. This means that municipalities would be able to take action on both existing and potential threats to local water sources. Third, the proposed legislation would allow the whole community an opportunity to participate in the process of developing practical and effective solutions through full and public consultation on every source protection plan.

1540

Under Bill 43, public consultation will be a critical component of the source protection framework.

I said that local water source protection plans must be based on sound scientific principles. To ensure that communities have the resources that they need to complete

the required studies, we, our government, recently committed a total of \$67.5 million to support this work. This money will flow to municipalities and conservation authorities over the next five years, with \$51 million devoted to technical studies by local communities, and \$16.5 million targeted to conservation authorities. This is to ensure that they have the staff and resources needed to carry out their new responsibilities under the proposed bill.

Members should also be aware that Bill 43 provides guidelines on the process that communities would follow as they prepare their local source water protection plans. This process has a total of five steps.

In step one, conservation authorities and municipalities would map out local drinking water sources that need special protection. This would include areas immediately around wellheads and water intakes, recharge areas and vulnerable aquifers.

In step two, local authorities would use a science-based approach to measure and to assess the threats to water quality and quantity. These threats would then be ranked according to their relative importance. Local authorities would make decisions on threats that require immediate action, threats that simply need to be monitored to ensure that they don't become more serious, and threats that can simply be managed over time through voluntary action.

In step three of the process, local partners would be brought together to deal with threats identified. Municipalities would work with conservation authorities, farmers and other property owners, industry, community groups and the public to develop workable, effective plans to deal with each threat.

In step four, the local water source protection plans would be put into action. Implementation would be accomplished through official plans, zoning bylaws, provincial approval schemes, municipally issued permits, negotiated responses and, of course, voluntary actions. Under the proposed bill's provisions, local municipalities would receive special authority to take action on significant threats to their most vulnerable drinking water supplies. The province will also bear responsibility to take action where necessary.

Finally, step five involves careful and continuous monitoring of each source protection plan. This would be done to measure the effectiveness of the actions taken to protect drinking water sources and to ensure that local drinking water supplies continue to be adequately protected into the future.

As members can see, municipalities and conservation authorities right across this province will have key roles to play in the process proposed under Bill 43. Municipalities would generally be responsible for developing and implementing risk management strategies for local supply wells and intakes. They would also have the authority to require local businesses, farmers and other property owners to take steps to remove any significant threats to local drinking water that were identified. Conservation authorities would play a broader coordinating



role. They would generally be responsible for source protection planning across the entire watershed, and for supporting local municipalities by gathering information, assessing and ranking threats to the water supply, consulting, and integrating municipal strategies into larger watershed plans.

I think it's important to point out that the source protection planning process anticipated by Bill 43 would involve not just local governments and conservation authorities, but all other members of the community as well. For example, industry, businesses, farmers, ratepayer groups and other property owners, public health units, environmental and community groups, along with members of the public, would all be actively involved in helping to finding solutions early on in the process through representation on local source protection committees.

The proposed Clean Water Act would also help protect the Great Lakes, the source of drinking water for the majority of Ontarians. In addition to local authorities preparing source protection plans around the Great Lakes, they will have to consider existing agreements related to the Great Lakes basin, such as the Great Lakes Charter Annex and the Great Lakes water quality agreement. The minister would also have the authority to set specific source protection targets for the Great Lakes to ensure that plans met the goals of these agreements. Moreover, the proposed bill would also allow the Minister of the Environment to create committees to provide advice on matters affecting the Great Lakes, as needed.

Our government's approach to safeguarding Ontario's drinking water involves better protection of water resources, better water treatment measures and better overall program delivery. The Clean Water Act is the most recent action we are proposing in this regard. But we have also implemented a broad range of other important measures, including tough new rules for managing nutrients and for permits to take water; major new investments in scientific studies needed to support local source protection efforts; significant improvements to the regulation of drinking water systems; strong new standards for drinking water quality and testing; and a range of measures to improve the operation of municipal water systems.

As the minister has pointed out, Bill 43 is part of our government's commitment to implement all of the recommendations of the Walkerton inquiry. The proposed legislation will support the 22 recommendations on drinking water source protection from the part two report. I distinctly recall that each and every one of the three political parties represented in this House campaigned as one in the 2003 election on the combined promise to implement all of the recommendations of His Honour Justice O'Connor.

We're at a crossroads. The question is not whether we should have a multi-barrier approach to protect our most valuable sources of drinking water; the question is not whether we should do this; the question is: How? This debate is about the implementation. This debate culminates over a year's worth of consultation, perhaps even

years of consultation, within the affected sectors about what the best way is for our government to proceed. We've listened to those comments, and they're all incorporated in this bill.

I want to say to our friends on the other side, particularly the critic for the official opposition, the member for Haliburton-Victoria-Brock, and to one of our newest members, Mr. Tabuns, the new member for Toronto-Danforth—we welcome you here, sir—that we as a government look forward to working with all interested parties in Ontario and in this House to come up with the very best piece of legislation so that we leave, collectively, a legacy that says that when a problem was presented to us and we all agreed to take action, we got down to work and worked collegially and effectively to have the very best protection. I believe that the people of Walkerton demand no less from us.

In conclusion, I believe that this is important legislation and that it will have many benefits for people and communities throughout Ontario today and into the future. It is something that our children and grandchildren will be proud that we all worked on together in this Legislature. If passed, Bill 43 would give the people of Ontario some of the very best-protected drinking water in the world. So I'd like to call upon all members of the House to join me and the minister in supporting this very necessary legislation.

**The Acting Speaker:** Questions and comments? The member from Victoria-Haliburton-Brock.

*Applause.*

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** Oh, a round of applause from the opposition.

I'm pleased to speak today, and I will speak at length, about the Clean Water Act, Bill 43. We certainly all are in agreement that clean water is essential. Having a nursing background, I know the minister mentioned that it is essential for health in Ontario. So I think all of Ontario as a province, and all citizens want to see clean water brought forward.

1550

It's been over two years that the government has had to bring in some type of clean water protection act. It was to be source water protection, but it's called the Clean Water Act. That's fine. There have been consultations, and we appreciate some that have gone on. I appreciate the minister telling us where her next travels will take her, because it is important to consult. I think everybody agrees with the general purpose of clean water.

We've met and discussed a lot with municipalities, farmers and landowners, and there's a lot of concern with the bill. This is part of our parliamentary process, to have discussion, and there is a lot of discussion going on. I have a lot of papers with feedback on the bill, and I will be going into that in detail later.

There are questions with the conservation authorities and questions with the municipalities as to what roles they will have. There are questions about who's going to identify, where the science is directly going to come from, source protection authorities that are in place, areas



that don't have conservation authorities, the source protection committees, what composition they will be made up of, and will all the stakeholders be able to be represented equally? These are large areas of the province.

So we have a lot of concerns, a lot of feedback. We're glad to hear the government's going to be responsive, because we're going to be counting on it. We want them to go out on committee and have a lot of public hearings, because this bill is not going to work if we don't have the full co-operation of everybody in Ontario.

**Mr. Bob Delaney (Mississauga West):** As always, it's a pleasure to follow my colleague and friend the member for Perth—Middlesex, and also the Minister of the Environment, both of whom I've had the pleasure of knowing for quite a few years.

Bill 43 does three things. It focuses on three simple things: placing the impetus on local communities for source water protection; very importantly, allowing municipalities to take action before a problem happens; finally, ensuring there's a component of public consultation in source water protection.

Bill 43 makes it essential that communities take proactive steps not merely to fix problems when they happen, but to identify threats and to address issues before they inevitably turn into problems, which is as it should be.

Here in the GTA, we're home to about one in every six Canadians. Our population density is now about the same as that of Chicago. Our margin for error, therefore, with about six million people within an hour's drive of where I'm now standing, is not as wide as it is in other parts of Canada. So, too, our risk of harm to our source water and to the Great Lakes is also greater.

The minister understands that when it comes to safe water, the buck stops at her desk, and she has moved not merely to do the right thing but to do it in the right way. That's why the measures in Bill 43 are locally driven. That's why they're consultative and flexible.

Bill 43 lays out very clearly who is accountable for source water protection. Its provisions are transparent and fair. They'll be phased in over time, and they're based on science. In the event of a conflict between a municipal regulation and this bill, it resolves the conflict in the provision that best protects source water protection, and that's one of the reasons I support Bill 43.

**Mr. John O'Toole (Durham):** I look forward to the member from Victoria—Haliburton—Brock, our critic on this file. I know the work she's done both out of caucus and in caucus, trying to keep us abreast of this long-awaited debate on this bill. But listening to the minister, I believe that you have been slow to respond to the work done from the Walkerton inquiry, the O'Connor report. During our time, there were 50 recommendations that were implemented, and it seems that, after two and a half years, you have barely moved the measuring stick up to 60.

I think the people of Ontario need to see this as an important debate that needs to have full disclosure. It's a very complex, very technical bill. If you look at it, I

believe there are five general sections, each broken into about 15 subsections. A lot of it is through regulation.

I want to put something on the record here. Today we saw in Ontario the Ministry of the Environment—in fact, the Premier—trying to justify switching the focus on the energy file. If you look at the energy file and you look at the water file—water source, water protection—these are eminently critical resources to the health of both the persons and the economy of the province. If you look closely at this bill, you can see that you are going to pay through the nose. It will become clear during the debate how much more they are going to impose on the people of Ontario.

I think that doing the right thing—all members of the House will support the importance of safe, clean drinking water. That discussion is not debatable. But some of the implementation measures and the imposition of property rights issues need to be examined clearly and well understood, because they're going to be paid for by the people of Ontario. In many cases, they're going to say, "Source water protection means that in the middle of my farm they're going to map out an area that I'm no longer able to farm. How are they going to compensate?" This needs to be carefully watched. I'm sure the public will be kept well aware of what the impending disaster is on this file.

**Mrs. Maria Van Bommel (Lambton—Kent—Middlesex):** I'm certainly interested in this bill. As a farmer, I hear very often from the farm community about some of the concerns. I certainly remember very clearly what happened after Walkerton. There were a lot of tragic deaths. There were families whose lives changed completely, and there was a farm community that was also threatened. There was a farmer who immediately had the finger pointed at him, and he needed to have a defence. His defence was that he had taken all the proper precautions. He had done the right work. He had recorded his actions, and he was able to prove that his actions were not directly responsible for what happened. But every farmer in that area and across the province learned a very valuable lesson that day. They learned that they need to be protected from those kinds of accusations. They learned that they need regulations and they need to be able to work with the communities to protect the water source. So farmers now have an opportunity to work with the government, to work with the ministry, to work among themselves to protect their local communities.

Everyone wants safe drinking water. I want safe drinking water on my farm. I have a well. I take all kinds of precautions to make sure that it's protected. I know that a municipal well needs to have the same protection. This bill will take care of that. It will also allow farmers the opportunity to take the proper steps and to be able to defend themselves from any accusation that they may have done something that would contaminate the water source.

We certainly have a lot of things that need to be discussed, and that I know the minister will continue to discuss with the farm community. The farm community is justifiably concerned; we always are. Farmers naturally



expect that changes will impact them negatively, but I want to assure them that this minister is listening and that will not happen.

**The Acting Speaker:** In reply, the Minister of the Environment.

**Hon. Ms. Broten:** I want to thank the members for Victoria–Haliburton–Brock, Mississauga West, Durham and Lambton–Kent–Middlesex for joining me in the debate today. I want to just spend a few minutes talking about what we have done to get ourselves to this place. I would have to say, and I think there's some agreement around the House, that it is a complex piece of legislation. The Ministry of the Environment wanted to ensure that all key stakeholders participating in source protection had an opportunity to have their say.

We considered the recommendations of Justice O'Connor. We released a white paper to describe the proposed planning components. We undertook province-wide consultations. We posted the draft source water protection legislation, followed by a public comment period. We established two expert committees—the technical experts' committee and the implementation committees—and we received advice with respect to the implementation of source water protection.

We undertook a series of round tables to solicit feedback on the white paper, the draft planning legislation and, most recently, on the proposed Clean Water Act. We heard from the OFA, from OFAC, from stakeholders in many sectors. Between December 5, 2005, and February 3, 2006, Bill 43 was posted on the environmental registry for public comment, and over 90 submissions were received. Perhaps that gives this House a bit of a flavour of what we have been doing over three years. We have taken consultation very seriously. We know that there are questions that remain to be answered. I look forward to answering those questions in this debate.

I also want to talk just a little bit about how important this is. I want to tell Ontarians that since we took office, 60 of 121 recommendations from Justice O'Connor have been implemented. So we are moving forward in that regard.

We look forward to this debate. We all, collectively, need to protect clean, safe drinking water and deliver it into Ontarians' homes right across the province. This will be a good debate, and it's important for the next generation.

1600

**The Acting Speaker:** Further debate?

**Ms. Scott:** I am pleased to rise today to speak on Bill 43. I will be sharing my time with the member from Haldimand–Norfolk–Brant, who is just coming into the Legislature now. I appreciate his contribution. He was the environment critic for a year and a half or so, and then I picked up the portfolio. He has done a lot of work in regard to the preparation of this Clean Water Act and following it along with the people in Ontario.

It was mentioned that a lot of the initiatives brought forward by this government were built on some of the groundwork that was put in place by the previous

government in response to the O'Connor report. The previous government implemented 50 of its recommendations through the Safe Drinking Water Act. Two and a half years later, the current government has increased that number, but only by 10.

In the second part of his report, Justice O'Connor made 22 recommendations to address source water protection. This bill, the Clean Water Act, is intended to address those recommendations. Unfortunately, it's not clear that this bill or this government is going to succeed in fulfilling those recommendations, and the structures and processes contemplated by this bill point to some very real problems in the implementation.

I heard the minister mention some of the groups she has met with, and those are the people I'm going to speak about this afternoon too. They have some genuine concerns that we need to address. We, as the PC Party here, are hoping that this is going to go out to extensive consultations, because we have to get it right.

To bring people up to date, I know there has been talk about it, for those just tuning in at home. I'll say welcome to my mom, who just got the legislative channel.

**Hon. Ms. Broten:** My dad and your mom.

**Ms. Scott:** Okay, the Minister of the Environment's dad and my mom are watching, so we have to behave correctly, because we do get reprimanded if we are out of line as we are watched daily.

To turn to the debate, the Clean Water Act has three main purposes: It will require municipalities and conservation authorities to map the sources of municipal drinking water supplies; it will direct local communities to monitor any activity that could potentially threaten water quantity or quality and take action to reduce or remove that threat; and it will give local authorities the power to take preventative measures before a threat to water can cause harm.

When this bill went out, there was a lot of concern; it has been on the environmental review—I can't think of—

*Interjection.*

**Ms. Scott:** The environmental registry. Thank you.

The role of the conservation authorities: They have been given money from the MNR so that they will take assessment and work with municipalities. For the people at home, I think that conservation authorities—they have a lot of great members; I have family members who are on conservation authorities—could be more accountable. I think that accountability would ensure that the conservation authorities look at the big picture and support provincial land use objectives, not just conservation.

This is a quote from the Role of Conservation Authorities:

"Conservation authorities' board members should be elected at large by the public. Electing board members would ensure conservation authorities operate in an open and transparent manner with the objective to enhance the quality of life for Ontarians."

The Ontario Home Builders' Association had some input on this in September 2005:



"The OHBA recommends that the Ministry of Natural Resource and conservation authorities have a mandate to protect the environment and to support balanced growth. OHBA further recommends conservation authorities be more accountable to the public through the election of board members. Conservation authorities should be subject to provincial land use objectives and not just conservation."

Certainly the municipalities are genuinely in support of the good intentions about the sources of water. They believe they have substantive issues. The municipalities are key to this, because they are going to take all this over. This is a five-year process, and they are going to take over implementation of this. They want more of a role in the areas of policy development and implementation, and having a substantive, but apparently unfunded, mandate. They're concerned that this is going to proceed with the development of a new, complicated layer of decision-making to deal primarily with a land use matter, whereas the municipality has plans in its area under the Planning Act.

What complicates matters more is the apparent desire by the provincial government to take over source water protection plans as local instruments of local creation. There's very limited representation on the source protection committees. They want to ensure that they're going to have representation, that they're going to work together, because they control the Planning Act; they have the official plans in their riding. So there are a lot of things.

We've talked about this legislation being brought forward in regulations—a lot of it we're not sure of yet. Municipalities are concerned about what their role is going to be. They feel that they don't have any real decision-making powers on the source water protection committees, and it's directly affecting them. So they just want to be consulted. I think that's what they're saying. Theirs is a consultant role, and they need to be more empowered in the decision-making process.

From this, the minister has the powers, and they're concerned that it's all just going to be from the top down. I know there has been talk about municipalities' involvement, but they're not really having the hammer to deal with it. So the municipalities are concerned.

Source water protection around the wellheads and intake areas, which is critical for municipal responsibility: "The proposed legislation does not read that way and is therefore an issue of serious concern." This is AMO that's saying this. It says, "The province, by virtue of its decision-making in all aspects of the source water protection plan development, has the full 'ownership' of the source water protection plan.

"While municipalities have no ... role in decision-making at the front end of the process, they are required to take on new and substantive responsibilities of implementation." As a minimum, if they're requiring municipalities to be the implementers, "then surely they should be given every opportunity to endorse or approve requirements at every opportunity in the process."

With integration with the existing legislative and regulatory framework, they've got concerns about "a clear, clean slate" upon which a new regime can still remain. "The specific work leading up to the development of the SWPP"—the source water protection plan—"and the approval of the plan are all responsibilities of the province, and as such, the logical conclusion is that the ownership ... is apparently that of the province." But again, "when dealing with land uses, municipalities have the land use planning authority." They're saying it's another erosion of their authority.

I talked to many municipalities, and they've passed motions—the city of Kawartha Lakes, my municipality—with respect to the Clean Water Act, 2005, that the financial costs of required studies be funded by the province within funds announced by the province in December 2005; that an appeal mechanism be established for MOE decisions on source protection plans; that financial assistance be provided to municipalities to implement and enforce source protection plans; and that the act provide immunity to municipalities for any financial loss to landowners caused by the enforcement of source protection plans.

I think that goes back to the \$67.5 million that was transferred to the conservation authorities to undertake the studies and hire the staff. So there are lots of dollars for bureaucrats to assess this, but there aren't dollars for stewardship and implementation, on which the municipalities, and some landowners to a certain extent, are acting.

There's a lot of grey area in the assessment, and nervousness and concerns. I know the member from Perth-Middlesex is over there, and he has a rural riding. I'm sure he has heard very similar concerns.

The municipalities are going to be asked to take on more of a role. And they're asking, "Where are the funds to do this?"

Official plans are going to have to be amended to comply with source protection plans. They cannot undertake any work or undertaking that would conflict with the source protection plan. They cannot pass any law that would conflict with the source protection plan. So they've got some really good concerns, and I know that when we go to committee and we have the chance for clause-by-clause amendments, we're going to have the ear of the government on that.

#### 1610

The Association of Municipal Managers, Clerks and Treasurers of Ontario made a submission. Overall, as we all do, they support the stated objective of Bill 43. "We note, however, the magnitude of the task that Bill 43 proposes to assign to municipalities." They're concerned about "participating in multi-stakeholder drinking water source protection committees; contributing to the preparation of assessment reports; contributing to the preparation of source protection plans; negotiating amendments to source protection plans where requested by the ministry; participating in hearings on source protection plans"—the list is quite extensive—and "the financial



and staff resources required to deliver on these responsibilities." That's what they're saying.

"The government has not provided estimates of the total cost of implementation and has only committed \$120 million over five years to pay for the planning phase.... We do not believe that the bill should proceed until the government has undertaken a full costing and made a commitment to provide municipalities"—this is third-party; this is the Association of Municipal Managers, Clerks and Treasurers of Ontario. "Municipalities need to have a clearer idea of the framework in which they will be operating...."

The region of Waterloo on Bill 43: While it "provides the legislative basis for protecting local drinking water supplies, it needs to: provide additional information on land uses and activities that will be considered significant drinking water threats and on the risk decision-making process; develop procedures to resolve conflicts between source protection plans and areas of provincial jurisdiction; and allow greater flexibility for municipalities to assess, develop plans, and apply for timing extensions for their municipal drinking water intakes. The region will request that the province provide funding...."

I think it's a pretty consistent message out there from municipalities. They're being asked to take on a lot.

Barrie Councillor Barry Ward, an executive member with the Nottawasaga Valley Conservation Authority, some questions still need to be addressed in this matter. "The provincial government ... has made it clear that conservation authorities will be at the fore." I know that we've asked. In the city of Kawartha Lakes, the municipality wanted some more information before they apply for the funding, and for the conservation authorities to do the assessment. Again, it just shows that municipalities are really nervous, and I want to highlight to the government, how is all this going to shake out, shall we say. It is over a five-year process.

*Interjection.*

**Ms. Scott:** It's okay. You can do a two-minute hit later to do that.

A lot of municipalities have concerns here, as do a lot of the agricultural and industrial communities. The Durham, York, Victoria Landowners Association feels it's going to have "devastating economic and social consequences for rural landowners."

It "gives enormous powers to the conservation authorities," which are unelected and hence "unaccountable to the public.

"The authority of the source protection committee to prohibit activities which have heretofore been lawful activities, without a meaningful appeal mechanism...."

The thing is, it is the appeal mechanism that is of concern, because they are going to be notified of their assessment. This is what I hear, and I hope it comes through that when land is being assessed, people will be notified.

But we're saying that you've got to have some more hearings. People have got to have an appeal process and plan. They can have limitations on their land use where

the plan is not in place but the assessment is there. The agricultural community has had many struggles, a lot of government regulation has been brought in and consultation hasn't been done to the extent it should have been to impact how it's going to affect their lives. We need a strong rural Ontario for a strong Ontario.

For the assessment to be done—this is just the way it is; they don't have enough of an appeal mechanism. It goes to the minister. The minister has the control. In land use planning, where is the OMB's role? There was an appeal to the OMB. Is there going to be a farm tribunal? Are members of the board involved?

They just want to have fair hearings. Farmers and rural people are all good stewards of the land, but they need the resources and the tools to keep the environment as good as they want it to be and as good as we all want it to be. They do not need more regulations without consultation and without resources. They're very upset with this bill and their interpretation of it. That's why we need to go out and hear from as many people as we possibly can so we can get it right.

I want to read from the Ontario Farmer article. The title is "Clean Water Act a Big Challenge for Farmers and Landowners."

The new "Clean Water Act is likely to pose serious financial consequences for farmers and landowners who happen to own land in sensitive" areas.

Chris Attema did a presentation to delegates of the annual meeting of the Ontario Cattlemen's Association and said it could create "a problematic nightmare scenario" for landowners in the province.

"Wellhead production zones would require farmers in those zones to have a permit to farm. Pathogen and chemical management zones would be established as well as two-hour time-of-travel zones in sensitive watershed areas. The bottom line is that a whole swath of farmland could potentially be covered under these zones.

"Anyone with land in these ... zones could find themselves with a new raft of rules that could permanently change the way they farm or use their land. Making matters worse is that the legislation provides no evidence that the province would offer compensation to landowners who could potentially lose their livelihoods in some cases."

That is it: They're going to lose the use of a lot of their land and there's no compensation for that.

"Attema quoted legal advice given to the" Ontario Cattlemen's Association "on the implications of the Clean Water Act. The act the advice said "will have serious consequences for landowners operating to effectively expropriate lands without any apparent compensation." We see confrontation and uncertainty.

I hope that the Liberal government is not creating more of a divide in Ontario. Is it going to pit rural against urban? We don't want that to happen. I can't imagine the members opposite really want that to happen.

*Interjection.*

**Ms. Scott:** I'm quoting from concerned citizens, John. We don't want that to happen because we need to work together collectively.



The Ontario Farm Environmental Coalition, whom the minister mentioned, has consulted with her. They represent the Ontario Federation of Agriculture, the Christian Farmers Federation of Ontario, AGCare and the Ontario Farm Animal Council. They have some real concerns with the bill. They have a lot of concerns with definitions that are within the bill, and rightly so. They feel that "Several items need to be specifically defined in the legislation rather than in the regulations. Terms like 'highly vulnerable aquifer,' 'risk assessment,' 'wellhead protection area,' 'drinking water threat,' 'adverse effects,' etc."

They've already come up with amendments. They're getting ready to go to committee. "Rather than using the term 'significant drinking water threat,' they would advocate using language that recognizes threats that are managed versus those that are not. They would like the bill to include a definition of 'risk' that is contained in the technical experts committee's report," on which I know they had a member. We're not going to get into technicalities today, but they have researched. They are prepared to offer amendments and solutions.

They also have concerns with the source protection committees in the legislation because the committees, after the plans are brought up, may disappear. "They would like to see the role of the committee increased and to have the source protection authority provide technical support" to the source protection committees and for the source protection committee "to submit materials to the minister or director.... The source protection committee should be allowed to have the work completed by the SPA reviewed by a third party if necessary." Again, reasonable things that are brought forward that should be looked at.

"Consultation: There is no provision to require consultation with landowners that are impacted by the legislation. The provisions for consultation and submissions of concerns to the minister or director must also be extended to landowners impacted by the act." They will get their assessment, but where's the appeal mechanism? Is it going to be that the committee allows them to come and say, "I don't think that assessment is correct," or "I have some more input there"? So again, it's the appeal mechanism that needs to be—I'm sure we all want a fair process, but the bill, in its present form, is not providing a fair process for assessment.

1620

"Source protection plans: Copies should be distributed directly to impacted landowners with information on how to provide comments." The points that are raised in oral presentations—I hope there are many public information sessions—should be sent to the minister. In a farm community, they're workers; they're working all the time. The meetings have to be so that they are able to go to them, or the hearings that they are going to appear before have to be at reasonable times so they can attend. I'm sure there will be farm representation on the source protection committees.

They believe the wording should reflect the goal of protecting municipal drinking water and human health in

section 35(4), and that's ecological health and all water everywhere.

Permit officials: If we can go to the permit officials, this is creating a lot of angst among agricultural and rural landowners. They're concerned about the permit officials. The Ontario Farm Environmental Coalition believes that "a permit system will not work" in addressing the problem. They feel they should "support risk management as an alternative approach and would recommend replacing the permit official with a risk management official."

We're trying to do this as in we don't want it to be enforcement. We want co-operation so that they could work with the agricultural community, develop a risk management plan that they work on together. A risk management official would not issue permits. So as opposed to a permit official, they're looking more at a risk management official who comes out and works with them on plans that they need to accomplish to achieve the work on their land if there is a risk there.

"Provisions of the act should not supersede the Freedom of Information...." There are a lot of concerns about that. "Farmers' information should ... remain private—the inspection provisions should be bound by the existing agreement (memorandum of understanding) that environmental farm plans" should remain "confidential documents of the farmer."

We bring these things up because they are concerns. They want written notice of the tribunal's—longer periods of time they want in.

They're concerned about the too broad attempt, I think, of the "multi-barrier approach to drinking water protection. They recommend actually listing those barriers (source protection, treatment, secure distribution system, monitoring programs, established and practised response to adverse conditions) and the statutes that address these barriers." I know they've made a submission to the minister on that, and I am hopeful the minister will follow some of their recommendations.

The Christian Farmers Federation, who have a great mission statement, have worked really hard at policy development. I have to say that over the years I've been involved they really are taking the good of the agricultural community and working within society. They do not support the proposed bill in its present form.

They bring a lot of good points forward, and I know they worked with the environmental farm coalition on that: that they're not required by legislation to consult with landowners—again the consultation program—prohibited activities—land uses require permit; they require a notice while they are preparing the SPP. Again, the topic of the assessment is done, but enforcement is done before the official plan, the SPP, is actually finalized. "It does not guarantee formal public hearings. We all want to be good stewards, but we want to be consulted and give feedback before official enforcement is done."

"For protected areas and zones in the SPP, the draft will authorize municipalities to prohibit certain activities, require permits, activities and land uses, and require



notices for certain activities that are now normal farm practices without reimbursing farmers for the cost of changing their farm practices.”

That’s a lot of the concern: the inability of farmers to do actual farming and have the tools to be environmental stewards of the land.

It’s also the industry, and the Ontario Mining Association has brought a lot of good concerns about the bill to the forefront. They think the bill needs a stronger business case. There’s no commitment of resources to carry out the activities called for. The Ontario Mining Association even called for a possible trial project. We’ve heard today about the increased hydro rates, how they’re going to drive out business. We’re saying this has a lot to do with industry and businesses. I’ve heard stories of dry cleaners, for example, that may have to move their entire business because of what is all of a sudden in the source protection plan. Where’s the compensation for that? We all want to be good stewards, but there has to be an equal balance, and I think a lot of what we are saying today is that there’s got to be a balance between the province and the municipalities on this.

When the bill gives power to the MOE to override existing land uses—there already are rules and regulations with the MOE. Is this Clean Water Act going to supersede existing regulations that are in place for industry? It’s a reasonable thing. It affects other areas—MNR and MMAH etc. There’s the need for co-operation and a clear distinction of how they’re all going to work together.

The source protection committees—again, is industry going to be represented? Every area is going to be different. Hopefully this is not going to be a cookie-cutter approach, but there is a need to have equality—municipal, industry, consumers etc.—from various groups so that it’s consistent throughout the province.

Sound science—again, we need to ensure that sound science is going to be in the forefront of this. It is over a five-year period, which we appreciate, but we want to be assured by the government that they’re going to work with the public, industry and all concerned stakeholders in general so that we get this right.

I know that I’m coming close to my time that I’m sharing with the member from Haldimand–Norfolk–Brant.

The minister did mention some key Walkerton inquiry recommendations. There is concern that this actually disconnects with the recommendations from O’Connor. That should be a concern.

I know that large or intensive farms, and all farms in designated and sensitive high-risk areas, should be required to develop individual FWPPs and have provincial MOE approval, binding and consistent with the source protection plan.

Number 14: Once a farm has an approved FWPP, municipalities should not have authority to require that farm to meet a higher standard.

Number 15: The province should work with stakeholders to create a provincial FWPP framework.

Number 16: The province should establish a system of cost-share incentives for farm water protection projects.

These are areas we mention because these are the key Walkerton inquiry recommendations. It seems to be doing the opposite here, because it’s giving the authority to municipalities through the permit official and reports to the municipality, not the province. That’s not what the Walkerton recommendations have asked for.

I think there’s a lot of grey area when the government says they’re following the full Walkerton recommendations, which was an election promise by the Liberal government, and one that we’ll be watching closely that they keep.

I’m pleased to now share my time with the member from Haldimand–Norfolk–Brant.

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** I certainly appreciate the opportunity to address Bill 43, the Clean Water Act. Many of us think of it as the source water protection act. I know many farmers refer to it as that. I’d like to begin by pointing out that I unequivocally support measures that will promote keeping our water clean and drinkable. Obviously our environment critic, the member for Haldimand–Victoria–Brock, is of a like mind, as she’s indicated this afternoon. The kind of measures that I support with respect to keeping water clean actually go far beyond legislation. I think of education programs, information programs, tax incentives, grants, low-interest loans. There are so many measures that can be considered in addition to passing a law.

**1630**

Unfortunately, we as legislators have been given the hammer on so many occasions that any problem that comes along starts to look like a nail. In many cases, when we pound that nail in, we are ignoring other tools or measures to address the issue at hand. Does that mean that Bill 43 is the answer? In my view, I would say no, certainly in its current form as drafted.

When analyzing any new piece of legislation, we do have to develop and use a few litmus tests, a standardized way, if you will, of determining whether or not a bill is the best solution for the problem at hand. We have to ask ourselves two questions. Number one: Will this legislation adequately accomplish its stated intentions? Second question: Is this legislation the fairest approach for all stakeholders? If we answer no to either of those questions, the legislation must be defeated or, at minimum, corrected. Bearing in mind the importance of consultation—I know consultation has been talked about a bit this afternoon, and consultation is key with key stakeholders when one either launches into this or has an about-turn and decides to go back to the drawing board.

I’ve asked myself the two questions that I’ve articulated. My answer to the number one question is maybe; maybe it will achieve its stated goals. The answer to number two, in my view, is no. That will be much of the presentation I wish to make this afternoon. I’ve certainly had a fair bit of input from those affected, to realize that a number of oxen are being gored with this particular piece of legislation, if it were ever to see the light of day. I



therefore feel we need to fix this legislation before allowing it to become law, and certainly before there is any thought of drawing up regulations.

In order to create the fairest and most effective approach possible, it is necessary to consult with experts. Experts, in my view, are individuals who have managed land, served as stewards of land, oftentimes as farmers, certainly as landowners; people who know what's out there. We need, and these people need, assurances from this government that stakeholders will be given a meaningful chance to participate and provide input into this legislation. Not everybody goes on an EBR website, and in fact, the input that comes in there can be very significantly skewed.

The legislation makes it clear that there will be consultations as this bill is implemented. That's really not what I'm talking about here. I want assurances from this government that it will consult with concerned stakeholders, those people I described previously, before this legislation is passed. I would ask those present, and especially those who were elected before this last session, to think back to the nutrient management days. For that piece of legislation, it took a number of years to develop the regulations. It took a significant amount of time. That was first launched—I guess it would be late 1999 or the year 2000—in response at that time to some major hog operation spills in Huron county, as I recall.

Both myself as parliamentary assistant to the Ministry of the Environment and former MPP Doug Galt—Doug was the PA to agriculture at the time—commenced a series of town hall meetings from one side of the province to another. I know we kicked off in Burford in my riding. We went on to Glencoe and Clinton, down in Huron county, where a lot of the hotspots were. In fact, the Clinton hearings went on morning, afternoon and into the evening. We travelled up to Orangeville, Chesterville in eastern Ontario, and to Hastings.

That was not the end of the town hall meetings for nutrient management. When the legislation was drafted, it went before the justice committee. It happened that at that time I chaired justice. We travelled initially to Caledonia in my riding, on to St. Thomas. As I recall, that was the day the twin towers came tumbling down in Manhattan. From St. Thomas on to Chatham and Holmesville—not everyone may know where Holmesville is; it's in Huron county—up to Owen Sound, hosted by Bill Murdoch, and then, in the east, Kemptville and Peterborough. We went up to North Bay, and also held hearings in Toronto.

I listed those towns just to indicate to this government the importance of getting out there to have public hearings in very small communities like Holmesville. I'm not sure if the area Women's Institute provided our meals in Holmesville. I think it's very important with legislation like this, which affects landowners and affects farmers, that we get out into the farm towns in Ontario.

This was not the end of the public meetings, the town hall meetings. We received regulation from staff. We conducted hearings in Mississauga. I recall travelling to

Grimsby, certainly down to Leamington to meet with the greenhouse growers. I held meetings in Delhi. Quite honestly, I just can't remember all the other towns that we visited as we spent our time crisscrossing back and forth across rural Ontario. Granted, there were EBR websites and other things like that, but we felt that, in the true spirit of consultation, in the true spirit of citizen participation, it was important to actually be there, to have hearings, no matter how long it took—as I mentioned, we ran into the evening in Clinton, for example—to entertain those delegations and those presentations, and to ensure that the hearings were chaired by elected MPPs. As I mentioned, at the latter hearings—by then I think I was parliamentary assistant to agriculture, and the initial hearings were kicked off with both myself and MPP Doug Galt. So our track record on consultation is evident.

I raise the question, where is the track record as far as this government travelling the towns and the byways of this province? We do put out a request: When will you go out and rent the halls and put on the coffee and put your PA on the road? When will these town halls begin?

These consultations also must be timed so as not to conflict with busy periods of the farming season. The Ontario Farm Environmental Coalition, also known as OFEC, suggests that committee hearings should take place after the busy planting season. I'd take it one step further. I regret that town hall meetings weren't held over the past six months, in the fall and winter, when rural people had more time. I go a step further and feel that hearings—I hope this government is going to have hearings—should be held after harvest, thus ensuring that no farmer is silenced by his or her schedule.

If you add it up, I'm aware of personally chairing at least 18 town hall meetings or committee hearings on nutrient management. That's the piece of legislation that will be superseded by the legislation that we are debating today. All those meetings that we had were in the off season, and many of them, as I recall, were in the winter.

As far as this proposed Clean Water Act is concerned, and according to Brampton consultant Jim White, "It certainly won't protect anyone against incompetence and dishonest employees." I suspect he's thinking of the Koebel brothers of Walkerton fame. He goes on to say, "What it will do is create a lot of studies, more municipal employees and many frustrated landowners who will spend money, much of it needlessly, while reducing the workable area of farms and reducing their market value."

That comes from Jim White. I've known Jim for many, many years. He's an agrologist, a regular contributor to the Ontario Farmer, and he is someone who knows of what he speaks.

1640

One of my primary concerns with this legislation stems from the second litmus test I made mention of earlier, and I'll just repeat that question: Is this legislation the fairest it can be for all stakeholders? Number one, in my view, this legislation poses an extreme financial burden on municipalities. It has the potential to pose an



extreme financial burden on private landowners. It's a piece of legislation that potentially creates a tangled mess of red tape for landowners and municipalities. The legislation gives bureaucrats virtually uninhibited power to interfere on private dwellings without sufficient judicial oversight.

**Mr. Richard Patten (Ottawa Centre):** How about clean, healthy water?

**Mr. Barrett:** I will indicate that we all support clean, healthy water. I don't need to repeat myself on that one, but I will point out to the government members opposite that your piece of legislation is being met with skepticism. Your piece of legislation is being met with a modicum of hostility, and obviously there's opposition from a very diverse range of stakeholders.

*Interjections.*

**Mr. Barrett:** If I could soldier on over some of the interjections, I would like to present what some of these stakeholders have communicated to me.

Now, I'm referring primarily to what in many cases appears to be this government's public enemy number one, and that's landowners and farmers. As parliamentary assistant to agriculture, it's my job to be an advocate for agriculture in the province of Ontario, and it is incumbent on me to stand up for their interests when the Ontario government refuses, if you will, any thought of a ceasefire in this war on the agricultural community, and not only on farmers: on rural Ontario and small-town Ontario.

For Ontario farmers, the context of this legislation is particularly grim. We're all aware of the carnage associated with this year's 21% cut to agricultural spending in Ontario. We've seen the 52% reduction in support for grains and oilseeds/livestock, that package that was mentioned and initiated just before the budget. I think many of us have read about OMAFRA staff making remarks about cash crop agriculture in this province receiving more subsidies per acre than their US counterparts. Again, that's something that hurts when farmers hear that, especially when there are 10,000 of them showing up in Ottawa for the very purpose of striving to achieve equity with US farmers. And we're told by staff that if we can't compete in producing certain food items—apples, for example—we should get out of the business of growing that particular food. Again, we are a northern country. There are many countries we cannot compete with, either their climate or their government coffers. Hence, it is important in the province of Ontario to offer that modicum of assistance to allow us to continue to be self-sufficient in food.

You add all this up, and you can see there's an agenda being advanced by the McGuinty government, and I'm concerned that there is a vision, and much of that is a vision of Ontario without agriculture, and hence, without farmers. There is a 416 mentality, and I am very concerned with the impact that this has—and this piece of legislation in particular—on independent, to-date prosperous, private landowners and agriculturalists.

One of the tools the McGuinty government will be using that has the potential to destroy much of agriculture

in small-town Ontario can be found within Bill 43, and I will explain that in a minute. I would like to use the words again of consultant Jim White:

"This bill is as close to a declaration of war on landowners as I expect to ever see. The Niagara Escarpment plan, the Oak Ridges moraine legislation and the green belt acts ... removed ... landowners' rights and reduced the value of the lands without compensation for people in a part of the province, but this bill establishes a system for creating a series of potentially severe, unilateral regulations and"—to use his words—"an army of spies to enforce them in all the province. The worst thing is we won't know what the rules are for several years. It appears every drop of water in southern Ontario can be preregulated, even if it never comes close to being consumed by a human." Those are the words of Jim White.

I'll take a few minutes to outline how a number of other stakeholders have reacted. Ontario pork producers: We worked very closely with the pork producers, as well as the cattlemen and other livestock groups, in the development of the enabling legislation for nutrient management. The pork producers point out four major flaws in this government's approach to source water protection:

(1) "Impacted landowners are not provided an opportunity to provide meaningful input into the terms of reference, assessment report and the final source water protection plan approval."

(2) This legislation "is inconsistent with Justice O'Connor's Walkerton inquiry recommendations—the proposed act includes broad powers for permit officials without appropriate technical, political or fiscal accountability."

(3) Again from the pork producers: "Contradicting Justice O'Connor's Walkerton inquiry recommendations, permit officials have interim authority to order landowners to complete a risk management plan before the completion of an approved watershed source water protection plan."

(4) "The proposed act will enable municipalities to infringe on normal farm practices and order farmers and landowners to prohibit their use of land or prohibit certain uses of land without compensation." Again, this is from the pork producers and raises that spectre of, yet again, a government that has very little respect for property rights in the province of Ontario.

If we link these four criticisms back to the two litmus tests, the questions that I outlined earlier in my remarks, we can see that there is no guarantee that this legislation will accomplish its stated goals, let alone be fair to the stakeholders—certainly, in this case, the pork producers.

If permit officials are allowed to operate without appropriate technical, political and fiscal accountability, we have no assurances that they will effectively conduct their assigned tasks. We can see that the pork producers see this legislation as unfair to concerned stakeholders. Impacted landowners are given no meaningful input, and they risk bearing significant costs without compensation.



I would like to reference a document from the Durham, York, Victoria Landowners Association. They point out:

"The Clean Water Act is a dream come true for conservation authorities who will be given enormous powers under this law. As 'source protection authorities,' the CAs will appoint unelected and unaccountable 'source protection committees' which will write 'source protection plans.' These plans will have the legal authority to override any decisions made by municipal councils, planning boards—even the Ontario Municipal Board. If a municipality's official plan or zoning bylaws don't suit the source protection commissars, they will be overruled."

The landowners continue, pointing out, "Once the source protection plan is in effect, the committee will tell residents which activities will be prohibited unless carried out in accordance with the bureaucrat's weapon of choice," and in this case that's the permit.

The landowners are concerned about permit inspectors who will enter on private property without consent of the owner to prevent unauthorized activities and also enter on one's property and go into one's house to search for documents that relate to these activities. The landowners are concerned that the permit inspector can use whatever force he deems necessary and can rely on the police for backup.

1650

Moving on to another well-respected farm organization, of which I am a member; I refer to the Ontario Federation of Agriculture. I'm a member in our local county, the Norfolk federation. The OFA is concerned about the composition of the source protection board. The federation points out: "Given the direct and important role and influence of these individuals over the source water protection process, there is a need to revisit how these members are chosen and who appoints them." Furthermore, the OFA "demands that this legislation be clear that the source protection board must not be granted the power to change or amend the terms of reference and the assessment report." The OFA continues, pointing out that the source protection committee must include "adequate representation from knowledgeable people who own land in the watershed, as these are the individuals who will be charged with the authority and the responsibility to effect change. These are also the individuals who will bear the potential negative economic consequences of source water protection." The OFA goes on: "The consultative process must ensure meaningful participation and consideration of landowners' input."

From these criticisms, we can see that the OFA is skeptical about the effectiveness of this particular bill, and I would say they're skeptical and very concerned about the fairness of this legislation, if it were to pass, with respect to its impact on landowners and, in their case, Ontario Federation of Agriculture members in Ontario.

A question: How can the source protection committee be effective if it is comprised of people who lack know-

ledge or experience with respect to the watershed they are protecting? How can this legislation be fair if farmers are not given the opportunity for meaningful input? The OFA insists that any public comment and consultation period, again, must be timed conveniently for farmers. Don't have it while we're working up ground or bringing in hay in the summer or combining soybeans or corn. Do it in the winter, after harvest and before spring. A consultative strategy timed to coincide with the busiest days of the agriculture cycle would clearly be unfair and would skew the input.

Another question: What about privacy of individual farmers and landowners? The OFA is very concerned that an employee or agent of the source protection board would be permitted to enter private land, demand documents and take samples, all without the permission of the impacted farmer. Clearly, this is not the fairest approach. These legislated power relationships really do not give any sense or appearance of a partnership. For a government with such an abysmal record with respect to agriculture, it would be wise in this legislation to attempt to lighten the heavy burden already imposed on our farmers across the great province of Ontario.

If we link the OFA's concerns back to the litmus test I outlined earlier, I feel there are major flaws in this legislation. Clearly, the primary stakeholders will endure unnecessary hardships under the current proposal, and the eventual effectiveness of this legislation would remain in doubt. There's nothing worse or harder than to enforce a poor law. In my assessment, the OFA's criticisms represent the fundamental failure of this government's approach to source water.

I want to refer to another article in the Ontario Farmer, again from Mr. White: "Other provisions provide the power of expropriation but the Statutory Powers Procedure Act does not apply to anything done under this act other than a proceeding before the Environmental Review Tribunal." So the bill protects the minister, it protects the ministry employees and other employees from responsibility for their actions, but there are no remedies available for those impacted.

As we know, this bill takes precedence over other pieces of legislation, and the most important one probably would be the Nutrient Management Act. Mr. White raises the issue of quantity in addition to the quality issue of water. There is a concern that this may mean the right to use 50,000 litres a day for either crop irrigation—I think of potatoes or tobacco, for example—or livestock water may be lost. That is a serious concern. I'm still not sure: In some of my readings of the white paper and some of the discussion documents, when we're talking about source water protection I'm a little suspicious of how much of this discussion seems to revolve around the permit-to-take-water issue. Down my way on the Norfolk sand plain, if you can't irrigate, if you can't get a permit to draw water, you're not farming anymore.

I want to make mention of information the opposition received from another stakeholder organization. This is from OFEC, the Ontario Farm Environmental Coalition:



"As indicated in a recent letter to Minister Broten, OFEC supports the concept of source water protection, but Bill 43 as presented at first reading cannot be supported by the agricultural community." OFEC, as a coalition, has representation from a number of farm organizations. Speaking on behalf of a number of organizations, they indicate, and I repeat, that the legislation "cannot be supported by the agricultural community." So we have a problem here.

"Indeed, the preference of OFEC is that the bill be withdrawn and redrafted. This process would enable and provide the time necessary to craft enabling legislation that would set out clear and achievable objectives along with a framework indicating how those objectives" could "be met in a reasonable time frame, with minimal social, cultural and economic impacts." Again, "If the province does proceed with second reading"—which we commenced two hours ago—"it must be prepared to make substantial revisions to the bill." That's coming from OFEC.

One of their foremost concerns as well revolves around that "funding" word. OFEC points out that farmers are willing to modify production practices in order to minimize environmental impacts. We know this. I see the transition in cash crop country. Certainly down in my area, part of my income comes from soybeans, corn and winter wheat. We've all switched from fall plowing to no till, with the attendant lessened impact on silting our ponds and our grassed waterways. Farmers are willing to do that; there's no question. It's oftentimes much more expensive to put in wildlife habitat and tree cover. On our land, we've put a couple of hundred acres into trees, at that time partly with the assistance of the Ministry of Natural Resources and primarily at our own expense. Farmers are willing.

Again, I'm suggesting measures like education, information, government assistance, planned grants, conservation grants, subsidized-interest loans and other measures beyond just bringing down the hammer of rules, regulations and laws.

1700

OFEC, the Ontario Farm Environmental Coalition, echoes Justice O'Connor's remarks, saying that there is an expectation of public funding to support such endeavours, and making public funding available to farmers for environmental improvements is good public policy. For example, since April 2005, over \$45 million has been committed by federal Agriculture and Agri-Food Canada and the provincial OMAF to support almost 6,000 on-farm projects to address so-called action items identified using the environmental farm plan process.

**The Acting Speaker:** Time is up. Questions and comments?

**Mr. Wilkinson:** I appreciate the comments made by the opposition critic, my friend for Haliburton–Victoria–Brock. In particular, I want to talk about the comments by the member from Haldimand–Norfolk–Brant. He went to great pains to talk about the Nutrient Management Act. I can think of no bill other than the Nutrient Management

Act, passed by the previous government, that did not have the basis of science and consultation, that had this kind of top-down idea that 300 animal units are a threat, but 299—no, it isn't. That wasn't based on science at all. That was based on political expediency. It was as top-down as you can come, as the government struggled with trying to react with their own legacy. This process, in comparison, is consultative. That's exactly what this government has said. I say it isn't from the ground up; it's from the groundwater up.

I was speaking to the Maitland Valley Conservation Authority. They have a wonderful website, and I'd say to all the members, go to this website. My property, our water: That resonates in rural Ontario: "Yes, I have my property, but water is a shared resource." You do not have the right to taint your well and affect your neighbours. You do not. You don't have some God-given right to threaten and be a significant threat to the municipal source of drinking water of your neighbours. If there is anyone in this province who feels that somehow they have an unlimited ability to threaten a municipal source of drinking water, I say to them, you're wrong. I say to them, you must be a good neighbour. We as a community, through this process of consultation, will work together to reduce those significant threats. Unlike the Gestapo-like theories espoused by the member from Haldimand–Norfolk–Brant about a bureaucrat around every tree, this process will be consultative.

*Interjection.*

**The Acting Speaker:** Yes, I believe that that statement should be withdrawn.

**Mr. Wilkinson:** I withdraw it.

**The Acting Speaker:** It's been withdrawn. Questions and comments?

**Mr. Ted Arnott (Waterloo–Wellington):** I'm glad the member for Perth–Middlesex withdrew that unfortunate and regrettable comment.

I would I like to respond briefly to the members for Haliburton–Victoria–Brock and Haldimand–Norfolk–Brant, who have shared the leadoff time for our party on this important Bill 43, the Clean Water Act. I think it's symbolic of how our caucus is approaching this bill. The member for Haliburton–Victoria–Brock is our critic for the environment and does a superb job on behalf of our caucus, challenging the government to do better to protect our land, our air and our water resources. Our critic for agriculture and food, of course, is the member for Haldimand–Norfolk–Brant, who has done an extraordinary job as well standing up for farmers as they have faced this spring of crisis and the inattentive response from the government that has compelled them to take rather drastic action to promote their needs and to underline their concerns. Toby Barrett has stood with them every step of the way.

In my constituency of Waterloo–Wellington, I have always had a good working relationship with the conservation authorities that have the responsibility for the area that covers Waterloo–Wellington, including the Grand River Conservation Authority. I can certainly attest to



their high standards of professionalism as an organization, as well as those of the Maitland Valley Conservation Authority and the Saugeen Valley Conservation Authority and others. I have a great deal of confidence that if they're going to be undertaking new responsibilities, they will do so with a high standard of professionalism and expertise.

But I would come back to the concern that I'm hearing from my farmers in Waterloo–Wellington and have heard over the years, that if society expects them to shoulder the full responsibility and the cost of water protection efforts, that's not fair. Society should be prepared to assist them in those costs. I think there needs to be a fair sharing of that so that the farm families aren't expected to carry yet another financial burden that they right now can't afford.

**Mr. Kevin Daniel Flynn (Oakville):** It's a pleasure to join the debate today. I come from an urban riding, the riding of Oakville, which has experienced a tremendous amount of growth over the past decade or more. I find that people in my own riding are starting to get smarter. They're starting to ask questions they didn't ask before relating to the impact that growth has on the environment. I think it's tremendous to see this type of progressive legislation being proposed by the minister, which would allow some of the people in my riding to be confident that we are looking at some of the things that are important to them, things like air quality, effluent quality and drinking water quality.

What these people in my riding have realized over the years is that Mother Nature does not respect municipal boundaries; Mother Nature respects watersheds. When you look at the tremendous work that has been done by the conservation authorities over the years on our behalf, despite the funding cutbacks and challenges they had under previous governments, you realize that these are organizations that are up to the task. These are organizations that, if given the opportunity and the legislation to protect our drinking water source, have more than the skills and the expertise to do that.

In fact, in Halton region, in the last regional official plan that I was involved in, around 2000-01—it was our official plan review—we started to look at the official plan in a very traditional way. We looked at the creeks and the streams, the road systems, population growth. We looked at all the traditional things you would look at in a planning exercise. Somebody said, "What about Lake Ontario?" It seems to me that in this legislation, the minister has gone out of her way to make sure that she has the power, she has the control, she has the ability to protect that great resource that's in the southern part of my riding, that being one of the Great Lakes, Lake Ontario.

**Ms. Andrea Horwath (Hamilton East):** Although I couldn't be in the House when the opposition was raising their comments on this bill, I was able to listen to some of the comments in my office as I was doing other work. The members did a good job of describing some of the issues that they thought were important around this particular bill.

But I have to say I did tear myself away from my work on behalf of the constituents of Hamilton East to come into the House right now because the next speaker on this bill is none other than Peter Tabuns, our new member for Toronto–Danforth, with his maiden speech. I came into this Legislature because I know that Peter not only is a wonderful representative for the constituents of Toronto–Danforth but also already has quite a significant grip on environmental issues, particularly the issues that are outlined in this bill. I look forward to his wisdom, because I know that the bill speaks to issues of water preservation, issues of development.

**The Acting Speaker:** I would remind the member, you are commenting on the previous speakers, not on the future ones.

**Ms. Horwath:** I thank you for that, Mr. Speaker. I know that the members who spoke on the issue spoke of water issues from the perspective of rural communities. I heard some of that very clearly in the speech. I know that the member for Toronto–Danforth also has some concerns about the effects that this bill will have and whether or not this bill goes far enough, as some of the previous speakers did mention, with regard to protecting source water, which is what this bill is all about.

So I do appreciate the comments of the two opposition members in their critique of this bill, but I look forward to the comments of Peter Tabuns, the member for Toronto–Danforth, who will be speaking on behalf of New Democrats in regard to this bill.

**The Acting Speaker:** Reply?

**Ms. Scott:** I'd like to thank the members for their comments. I thank the member from Haldimand–Norfolk–Brant, who is our agriculture critic and previous environment critic. He spoke eloquently about the concerns that we have.

1710

To the member from Perth–Middlesex, I just want to comment that the member for Haldimand–Norfolk–Brant's father was the last to see his cousin who was killed in the Second World War, and whom the Legion in my hometown of Kinmount is named after: the John McGrath Memorial Branch; so a tribute to the member and his family for the contribution they made to Canada.

I thank the members from Oakville, Hamilton East and Waterloo–Wellington. We've had a good discussion here this afternoon about the Clean Water Act. We've spent a lot of time with the feedback we received from third parties, and that's what this is about. There was one comment that I heard about the legislation, which was "right objective, wrong approach."

There have been a lot of questions raised: the municipalities, the amount of stuff in the regulations, and will municipalities have to amend official plans and zoning bylaws conforming with the bill? They want more of a say in the source protection committees and source protection authorities.

Compensation has been brought up, and it's a concern for all farmers. I know there was an expert panel report in January 2006 called Water Well Sustainability in Ontario



on the EBR. The quote in there was, "Land users need to be assured that any alteration in land use beyond due diligence will be compensated as the alterations are done in the interest of the public good." I know that another member opposite had made that generality.

We've all got to work together. There has to be proper compensation and consultation.

**The Acting Speaker:** Further debate?

*Applause.*

**Mr. Peter Tabuns (Toronto–Danforth):** Yes, my inaugural speech. Thank you, colleagues. It's only an hour. I know that tender mercy may not be repeated in the future, so I'll take advantage of it now.

**Mr. Tim Hudak (Erie–Lincoln):** Robert Duvall.

**Mr. Tabuns:** Robert Duvall. I understand from the Speaker that there's some latitude given in a member's inaugural speech. With permission of the House, I will take some latitude.

**Mr. Gilles Bisson (Timmins–James Bay):** Go after Dalton now.

**Mr. Tabuns:** I've had conflicting advice on that.

First of all I want to thank the voters of Toronto–Danforth, who showed their confidence in me. God, was it only a week ago? That's extraordinary—two weeks ago.

**Interjection:** Time flies.

**Mr. Tabuns:** Time really flies.

For those who are not familiar with the riding, it's a riding with a long history of environmental battles. It has a population that's very conscious about environmental issues, and I'm very pleased to have received their confidence recently.

I find it extraordinary, the democracy we experience here in Canada. When I was a councillor on Toronto city council, I thought it was a fabulous thing that mayors and councillors would talk with people on streetcars, buses and the subway about the issues of the day, that people had the familiarity and comfort that they could speak to people and hold them to account on a day-to-day basis.

**Mr. Bisson:** Do you have streetcars and buses in your riding? I don't have roads in mine.

**Mr. Tabuns:** Some ridings do better than others.

In any event, I have to say that in the years that I was not on city council, when I was head of Greenpeace Canada, I had an opportunity to travel around the world. I travelled to countries where democracy was far more fragile than anything I had ever experienced in Canada. Previously I had great respect for and great appreciation of our democracy, which was only deepened when I had a chance to see the conditions other people laboured under in trying to protect the environment and trying to protect human rights.

I'd like to thank my family for their support and patience: my mother, who is a fabulous campaigner, whom I thanked on election night, and my partner, Shawn.

**Ms. Horwath:** Is she from Hamilton?

**Mr. Tabuns:** Yes, my mother is from Hamilton Mountain; another plug for Hamilton.

*Interjection.*

**Mr. Tabuns:** Soon—and also my partner for her great patience in the campaigns that I've gone through in the last few years.

I'd like to thank all of those who worked on my campaign. They did tremendous work. I'd like to express respect for those who worked for my opponents. They too worked hard: Georgina Blanas, Ben Chin, Paul Charbonneau, people who were out there. They worked hard. They believed in democracy. They did what they could.

Mr. Speaker, thank you for that indulgence.

Water is a precious substance. Everyone in this House would agree with that. Our water supply—not just our drinking water supply but our whole water supply—faces profound challenges. The most profound of those challenges is climate change. Climate change is affecting our province yearly, monthly, daily, and will change it profoundly in the years to come.

In the late 1990s, the federal government did a study of the impact of climate change on every region of Canada, the Canada Country Study. That study, using far more conservative assumptions that were prevalent in the late 1990s, concluded that there would be substantial shrinkage of the Great Lakes, substantial reduction in the availability of rain water in Ontario—in southern Ontario in particular—substantial impact in terms of greater flooding. We will see Lake Erie become much smaller, Lake Ontario become smaller, the St. Lawrence River drop in volume. We will see profound challenges to the water we need for irrigation, for farming, for recreation and for drinking. The cost to our province, the cost to our cities and the cost to our communities of adaptation to climate change is going to be profound, in terms of both dollars and risk to human health.

The risk to supply is the most profound challenge, but the other challenge is the threat to the quality of water. Water contamination from industrial chemicals, from sewage, from manure threatens our economy, threatens our health and, as we know, can threaten our very lives. We have to deal with water in a very serious way that goes beyond the normal partisan rhetoric that is simply our bread and butter here. We will have to go beyond that if we're going to deal with the issues before us.

We know that Ontario is blessed with extraordinary water resources. Those of us in this city, those of us who live on the shores of the Great Lakes, know how wonderful that resource is. But it is not a renewable resource in the way we think of a renewable resource. Most of the Great Lakes water comes from the water left behind by the glaciers receding at the end of the last ice age. Only about 1% to 2% of the water in the Great Lakes is changed each year. If we lose the Great Lakes, we lose them.

We have a resource that's crucial to our economy, to our lives, to our well-being; a resource that's at risk; and a resource that is limited. That's the context within which I approach this bill and the context within which our party approaches this bill.

I should say from the beginning that we are pleased to see the introduction of this bill. We believe it's overdue,



but it's here, and now we can begin debate of the bill, its content and its direction.

I want to say this to the minister and to those involved in bringing this bill forward: A bill can be passed in this House by a simple majority. You have a majority. You could pass this bill with no amendments. This side of the House could slow you down, but in the end you could pass it in the form you presented it in, if you want to. Having said that—

*Interjections.*

**Mr. Tabuns:** I'll take those as friendly interjections.

**Mr. Rosario Marchese (Trinity-Spadina):** Build it into your speech.

**Mr. Tabuns:** Build it into my speech.

**Mr. Wilkinson:** If these are friendly, you should see what nasty is.

**Mr. Tabuns:** I know what nasty is. Bring in a smoking ban and bring in all your friends from the restaurant industry, and you'll find out what nasty is.

**Mr. Marchese:** There's a good one. That is a good one.

**Mr. Tabuns:** I know. In any event, battles passed and friendships re-established.

You, the government, are going to have to establish political capital not only in this House but out in the community at large. We've heard from colleagues speaking from the viewpoint of the official opposition, but you will also have to rally those people who feel that this bill must be very strong and has to take account of the larger context of the water situation in Ontario and in Canada. At this point, this government is engaged in activities and directions that undermine that capital.

1720

I believe that we need to move quickly on this bill, because every day, every week, every month, there are things happening that impact the quality of water in this province. When Justice O'Connor recognized the importance of source protection plans for watershed planning, he talked about the watershed, "as an ecologically practical unit for managing water. This is the level at which impacts to water resources are integrated, and individual impacts that might not be significant in and of themselves combine to create cumulative stresses that may become evident...." We need to deal with those cumulative impacts—the government has to deal with those cumulative impacts—on source waters and on watersheds so that we can avoid future tragedies as this province experienced in Walkerton.

To ensure that tragedy is never repeated, we need strong, clear and properly funded legislation. We need a regulatory regime that makes protection of our source waters the top priority instead of, in some ways in this bill at this point, a secondary consideration. It's against the recommendations of Justice O'Connor, as well as the concerns of environmental groups, citizens, farmers and municipalities—all their concerns about protecting this resource—that this bill will be measured.

At present, we find the legislation ambiguous, vague and lacking numerous key definitions. So we will be

seeking amendments at committee to strengthen the Clean Water Act to ensure that source waters have a high degree of integrated protection, that human health is properly safeguarded and that long-term funding is provided to ensure the proper administration and renewal of source water protection planning over time.

Before I move on to talk about the specific elements of the bill, I want to talk about some of the actions and some of the events going on in this province that affect the quality of our water that could be addressed by this government and aren't being, but should be. I go back again to this question of political capital. If this government does not have credibility in a broader context than just this bill, they will not have the support of the citizenry and of communities when they try to implement it.

The Oak Ridges moraine is a crucial part of the water system in the greater Toronto area. It contains the headwaters of 65 river systems, 35 of them in the GTA—a wide diversity of streams, lakes and rivers. The moraine is this giant sponge made of gravel and sand, holding the water that feeds the rivers and creeks that flow through our region and flow into Lake Ontario, the source of drinking water for a quarter-million residents in the GTA. The greatest threat to the moraine is inappropriate land use. Those headwaters have to be protected. Immediately after this government was elected, it did not act on a promise to stop the development of 6,600 houses slated for the Oak Ridges moraine. That was a mistake. It undermines the credibility of the government in going forward with this legislation.

Unfortunately, it wasn't isolated. The big pipe: Last week, this government said it would allow York region's big pipe trunk sewer to cut across the Oak Ridges moraine, which now forms part of the government's greenbelt. There were alternative routes for this big pipe, and the spirit of the act has been contravened. Developers may be happy, but the big pipe running through the moraine does not protect source waters. It's a business-as-usual approach that contravenes the spirit of the legislation brought by the minister. I think this government should be acting not solely through the wording of this legislation, but should be thinking about the bigger picture and making sure all its actions are consistent with protection of source water. This big pipe should have had a full environmental assessment. It was called for by the city of Toronto. It was called for by the Environmental Commissioner. It didn't happen, and so developers and urban sprawl have taken precedence over protecting our source waters.

When a government fails to protect a vital part of the water system in this region and in this province, it loses political capital; it undermines its credibility. To give you a sense of the magnitude of the dewatering that takes place because of this big pipe, you should know that this pipe is resulting in the loss of an amount of water equal to a large swimming pool every minute between now and 2007. That's a lot of water. On the ground in the region, streams and wells have dried up—120 wells to date. That is not protection. The water table in the area surrounding



the big pipe has dropped from 5 metres to 55 metres over 65 square miles during phase 1 of construction. Robinson Creek, known as a very healthy body of water, is reduced to a trickle. Those actions that contravene the direction this legislation is purporting to take undermine the credibility of the government. Those sorts of actions need to be reversed.

We have north Leslie. The government is allowing the north Leslie lands to be paved over with 7,800 houses, plus commercial and industrial development. An urban sprawl community the size of Stouffville is going to go forward in the Oak Ridges moraine and the Rouge River headwaters wetland complex. Right now, the north Leslie development is being fought by environmental groups at the OMB. Even the government's own scientists have stated that the majority of the site is too environmentally sensitive to develop, and that this development threatens regionally significant wildlife. This is a development that should not be proceeding; this is a development the government that should be vigorously opposing.

The government is not acting. It is standing by while environmental groups with very little cash are trying to defend our source waters. That is a mistake on the part of the government. It should be changing its tack. It should be acting in a way consistent with the act they brought forward to protect groundwater source water in this province.

Waste management and water are significant intertwined issues. The Premier had promised to divert 60% of waste from Ontario landfills by 2008. This inability, or lack of will, lack of determination to actually follow through on that promise, puts us in a very difficult position. We know that because that change, that investment and diversion, has not happened, there will be more and larger landfills, that there will be a push for incineration.

Concerned citizens living up and around proposed site 41 and concerned citizens in the Napanee area including the Mohawks of the Bay of Quinte face expansion of Waste Management's Richmond Landfill—this is not good for source waters in those regions. The diversion rate has to go up to 60%. There has to be investment on the part of the provincial government to expand diversion, to invest in reduction, reuse and recycle so that we can dramatically shrink the amount of waste we generate in this society.

1730

The proposed landfill in Simcoe county, known as site 41, is to be located on top of several aquifers, beside the headwaters of McDonald Creek, which runs into the Wye Marsh and Georgian Bay. The proposed site 41 has so much groundwater that artesian wells are common. The Allison aquifer is located under the site and supplies many communities with their drinking water.

Last week, the Toronto Star reported that water from site 41 was tested in Germany and found to be among the purest water in the world, with lead levels below those found in Arctic ice, but perhaps not for long, because if we don't take action on waste diversion, reduction, reuse and recycling, we are going to have landfills built in sites

like this and we will be contaminating the water in this province. Site 41 and many other landfills will be needed to hold waste that could have been diverted, could have been avoided, had this government chosen to act. It can still act. It should act now.

The same can be said for the proposed expansion of the Richmond landfill near Napanee. Failure to act on waste diversion threatens groundwater and surface water of the Mohawks of the Bay of Quinte, Tyendinaga township and greater Napanee, and makes a mockery of the idea that this government is concerned about protecting source waters. This government needs to act on issues that impact on water, not just on this bill.

The Milton quarry is one final example of action that should be taken to protect our water beyond the terms of this bill that we're discussing today. There's a proposal to expand the Dufferin Aggregates quarry in Milton, a quarry that operates within the Niagara Escarpment, which is now part of the government's greenbelt. The Milton quarry lies within a significant headwaters region that includes several tributaries of Sixteen Mile Creek. Since mining would take place below the groundwater table, the quarry expansion would create three permanent artificial lakes to depths of up to 100 feet. To prevent these lakes from sucking the surrounding creeks and wetlands dry, Dufferin Aggregates proposes to construct an elaborate system of 126 recharge wells that would have to operate in perpetuity, using technologies untried at this scale. Having to run recharged wells to maintain water levels in surrounding creeks and wetlands forever is not source protection; it's a profound mistake.

The joint panel decision to allow Dufferin Aggregates' expansion to go ahead was appealed to the McGuinty cabinet by the Coalition on the Niagara Escarpment and the Protect Our Water and Environmental Resources group, POWER—two environmental organizations with stellar records for protecting the very beautiful Niagara Escarpment. Right now, this government has the opportunity to stop the Dufferin quarry expansion and do something meaningful outside the terms of this act to protect source waters. I would urge the government to announce that the Dufferin quarry will not be going forward because of the very serious short- and long-term implications for our water.

Before I go into detail about the bill itself, again I would urge the government to look at its track record over the last few years, to look at the issues before it today and take action to protect groundwater so that it will have the support out in the community when it goes forward with this bill. Consistently acting in a way that is contrary to the stated intention of the bill and the stated intention of the government means that when the crunch comes to stand up for source water protection, the government may well not have people standing behind it.

Bill-specific issues: The bill lacks important detail. There are a number of definitions, key terms, that have been left to regulation rather than being defined in the bill: "groundwater recharge area," "highly vulnerable aquifer," "surface water intake protection zone," "well-



head protection area" and "vulnerable area." All of these terms that have significant impact on how the bill will be interpreted and applied are not going to be the subject of debate or of definition in committee but left to cabinet, and frankly that does not make sense. Those definitions should be sorted through in this House, in committee and in law so that whatever future government comes forward cannot simply undermine this definition through an order in council.

**Mr. Marchese:** Why are there no definitions? What do you think? Why are they doing it? Why don't you guys define it so we know?

*Interjection.*

**Mr. Tabuns:** I appreciate the clarification.

What constitutes a "significant risk," an "adverse effect" to source water, is left to regulation. That's not strong enough protection. Definitions have to be in the act; they should be there for the public to comment on now and for the legislators here to have impact on. Without those definitions, it makes it very difficult to assess the real impact of this act—to assess its ability to have real effect in the outside world. The minister needs to supply us with the details; the minister needs to amend the act so that those definitions are there for us, the legislators, and for us in the broader sense—the public—to really have control over where this is going.

The next question is the time frame for implementation. We needed protection of source water yesterday. We know from what happened at Walkerton that the impact of not acting can be profound, yet we are looking at a five-year implementation phase. That's far too long. Source waters are impacted daily. We need these protection plans developed and implemented within three years at the outside. The work that has been going on for years on the part of conservation authorities to develop substantial information on water supply and on affected watersheds can be built upon quickly. We can't wait five years. We have a situation now that a few years ago we all recognized was dire and had to be moved on quickly. Five years is far too long to wait for this bill to come into effect and to have the desired impact.

One glaring omission needs to be corrected. In 2003, the Premier promised to make those companies that benefit from exploiting our water resources—bottled water companies like Omya—to pay a royalty on the resource as occurs in other resource sectors. It's not in this legislation. I think that's a profound omission that has to be corrected. Municipalities and farm communities have raised concerns about the lack of long-term funding for implementation and administration of responsibilities associated with source water protection plans. We have to correct that lack of income by charging for the extraction of a natural resource that is the property of all the people of this province.

In 2003, Dalton McGuinty said:

"We will stop allowing companies to raid our precious water supplies.

"Companies that want to take oil from the ground or trees from the forest have to pay for that privilege. The quantity of resource they can extract or harvest is reg-

ulated in line with provincial needs and environmental protection."

**Ms. Horwath:** That's not in Bill 43, is it?

**Mr. Tabuns:** No. That's my point.

"But when companies want to bottle our water or export it as part of other products, the Harris-Eves government gives it to them free and without any consideration of the impact on local aquifers.

"One company alone wants to ship more water out of Ontario annually in the form of industrial slurry than the entire country exports in all beverages.

"We will end this reckless giveaway. Before we issue a single new water-taking permit, we will review Ontario's groundwater supplies. Once we are sure we have enough for ourselves, we will make water-bottling companies and others who mix water with their exports pay for this precious resource."

Well, he was right. That's the right approach, and that's the approach that should be reflected in this legislation. Those who wrote the legislation, those who are carrying forward the legislation in this House, know they need the financial resources to carry forward the steps that have to be taken, and that has got to be a key part of the source. The legislation is silent on this promise. The legislation needs to be amended.

**1740**

The legislation states that where there's a conflict between a provision in a source protection plan and a provincial policy statement or another act, the provision providing the greatest protection to the quality and quantity of water should prevail. However, all the conflict provisions are subject to regulation by the Lieutenant Governor in Council. Consequently, whether source water protection is actually paramount is at the discretion of cabinet. As I've noted previously in reference to the big pipe or the Dufferin quarry expansion, the north Leslie lands and the development of new dumps, there's a question of confidence here that has to be addressed by other actions on the part of the government. To the extent that those other actions aren't consistent with the act, then there will be a lack of confidence in the ability of cabinet to act in a way that will actually protect source water in this province.

Next question: Is the protection of source waters going to be given priority in provincial infrastructure funding? Is that going to be reflected in the budgeting in this province, or is that simply going to be a side issue, and this act is to be the only action taken by the government to protect source waters, with its other actions not consistent with the act?

The question of a source water protection committee's 16 members: How are they to be selected? This is left to regulation. Again, it should be addressed in legislation, because we all know that the people who are selected, the people who will sit on this committee, will have a profound impact on the quality of the work that's done, the quality of the political will that's available to push forward through controversy, and ultimately have impact on the water quality within the watershed.



There's no requirement that source protection plans be updated every three years, or after some specified period of time. This is not good policy; in fact, it's bad policy. Municipalities have to review their official plans on a regular basis. They have to go out to the citizenry. They have to have open debate. They have to see whether or not their official plans are in keeping with the times and the needs of their communities. Failure to have a similar provision in this Clean Water Act will mean that the plans will fall farther and farther behind the immediate needs of communities. I don't know if that was intended, but as it is written, it is not the right approach. It is an approach that will not give us the results the people of this province want.

In addition, not only should the individual authorities review their plans, but across the whole province we need a review on a regular basis—five years seems a reasonable time—of how source protection planning is working and whether the objectives that were set in the legislation in the first place, whether the objectives that were set by the local authorities, are actually being met. We need to know if they're effective over time, if they're effective in the north, if they're effective in the south. There are different conditions prevailing in different parts of this province.

I'm very concerned—I referred to this before in terms of timelines—that until the source protection plans are put in place, and that's five years from the time this act is passed, we're pretty much in a business-as-usual situation. That means we have five years, a half-decade, when the problems we're all concerned about will continue to simply work themselves through. We will not have the protection in this province that people deserve, and we will not have the protection that our environment needs over the long run. So I ask the government to address this question: How, over the next five years, are we going to ensure that protection is in place to the extent that it's legally possible for our water sources? Who has the authority to act over the next five years if there's an imminent threat to our water supply? Is it the director at the Ministry of the Environment? There needs to be clarity on that.

In terms of the Great Lakes, mandatory protection of the Great Lakes has to be fully integrated into the legislation. Right now, what we have is enabling legislation that's weak. We need to have the legislation in there now, we need to be in a position to debate it and we need to know whether or not it's actually going to do the job that people want done. We need mandatory targets for water quality and water quantity in watersheds and how they're going to be achieved and incorporated into source protection plans.

On the question of public participation, the legislation needs to allow any member of the public who wants to participate in source protection committees to be able to apply through an open and transparent process. Those who are chosen need to receive some level of remuneration to support their further participation. Further, mandatory public participation provisions should be extended

throughout the act. Terms of reference, assessment reports and source protection plans all must be prescribed for notice on the Environmental Bill of Rights prior to approval.

This bill has a number of other measures that need to be addressed as well, but I've already given you a list of substantial issues that need to be addressed before this legislation can do what it's intended to do, before this legislation will have the power to actually protect source waters.

When it comes to First Nations, their traditional environmental knowledge needs to be recognized in the protection of source waters and the development of source protection plans. First Nations membership on source protection committees needs to be mandatory in watersheds with First Nations traditional lands.

Before this bill is fully in place, we need interim measures. We need to have provision for mandatory action by the ministry or the source protection authority upon discovery of an imminent drinking water health hazard. There is no reason not to have that requirement. We understand the impact of not having that kind of provision. We need to make sure that authorities have full power and direction to take action to protect our water quality.

As of the day the legislation is passed, no approval by any agency of instruments—for instance, development approvals, certificates of approval, permits to take water—with the potential to cause significant or irreversible harm to drinking water sources should go forward. The ministry should prepare itself in a very broad way to take on those issues so that we're not waiting five years to deal with profound threats to our water supply. The ministry should be doing that inventory now. They should be taking action.

Precautionary principle: The precautionary approach should be adopted into the purpose section of this act, and the act should require its use in the development of source protection plans.

Everyone in this Legislature is familiar with the impact of the tainted blood scandal. Many, many people were profoundly hurt and their health destroyed; people died. In the inquiry that followed those events, Mr. Justice Krever looked at the approach that was taken by those who had authority at the time. Mr. Justice Krever said that the precautionary principle had to be incorporated into the thinking, into the planning of those responsible for the health of the populace, because the downside, the risk, if you were wrong, was far too great. The same is true when it comes to the protection of our source waters. This precautionary principle, which has been established as absolutely necessary in the public health sphere, should be established in the sphere of protection of our environment and the protection of our source waters. This bill should be amended to make that possible.

**1750**

Financing: As I mentioned earlier, there has to be an expediting of the introduction of water-taking charges



and allocation of the revenue toward source water protection implementation. There is tremendous reluctance on the part of people in rural areas and on the part of municipalities to go along with what's proposed, precisely because of fears that they will not be able to afford the cost of doing what has to be done. Some municipalities may have a stronger case than others. But the reality is that throughout Ontario, at every level from the smallest village to the largest city, there needs to be an assurance that the resources will be available to protect the water supply, and implementation of water-taking charges will allow for that provision of revenue so that we can have that protection uniformly throughout the province, so that First Nations reserves, small villages and large cities all enjoy the same protection of their water supply.

To my surprise, I've gone through my remarks.

**Mr. Hudak:** No.

**Mr. Tabuns:** I know there's some disappointment.

*Interjections.*

**Mr. Tabuns:** I know. Gilles can talk about many things. I realize that.

*Interjection.*

**Mr. Tabuns:** Thank you, colleagues.

Mr. Speaker, when this issue—

**Mr. Bisson:** "Oh, I forgot," is always a good one.

**Mr. Tabuns:** Oh, I forgot. Thank you very much. I appreciate the coaching from my colleagues.

**Mr. Bisson:** That came from the chief government whip.

**Mr. Tabuns:** I see. Thank you, Mr. Whip.

Mr. Speaker, when our society first became aware of public health problems, our society was faced with profound challenges. As you probably know, the first incidence of taking action to deal with a public health threat was taken in England in the 1800s when it was discovered that a particular well in London was contaminated, causing illness and death in a community in London. A local doctor had the courage, notwithstanding the criticism that was levelled at him, to take away the handle from the local well pump so people couldn't access that water. That doctor saved many lives. That doctor was right to take action that he could be criticized for. He didn't just speak about the issue. He didn't make a speech. He didn't stand up, and say, "Gee, I feel badly about these people who are having a hard time." No, he actually took action. Action on water and action on health threats arising from water have been a part of our history and part of our culture.

People are well aware of Ibsen's play, *An Enemy of the People*, the story of a person who discovered that the local source of water, which was vital to the economic well-being of the town, was contaminated. That doctor spoke out and was attacked for speaking out, because of course others did not want tourists and guests to be frightened and driven away.

We are faced with a situation where we will encounter two profound problems: those people who don't want to act on cleaning up our water, who want business as usual

to continue, and with people who want to be seen to be acting but who take action that does not deal with the problem at hand. That is the problem we face in this Legislature, between those two poles. We need to press forward to fully funded changes, to changes that are swift, that will ensure that we don't face another tragedy like we faced at Walkerton a number of years ago.

When we deal with environmental problems, we know that we're dealing not just with a small, isolated issue; we're dealing with problems that cut to the quick, to the core of this society. When we want to change those things, we can't do it simply. We are changing established habits, we're dealing with entrenched interests that want things to go on the way they've gone on before. I look at the Oak Ridges moraine, I look at the pressure for development there, the pressure on the part of development companies to follow through, to build and pave over as much as possible, and that pressure will continue, will be relentless. The fact that the big pipe is going ahead and dewatering a big chunk of that area, the fact that construction is going ahead, that is an indication of the kind of pressure that we will be facing as this bill goes forward.

*Interjection.*

**The Acting Speaker:** Before I recognize the point of order, since it is the member's maiden speech, you will have 15-plus minutes on the next occasion to finish.

## ORDER OF BUSINESS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** On a point of order, Mr. Speaker: I seek unanimous consent to move a motion respecting the consideration of business this afternoon.

**The Acting Speaker (Mr. Michael Prue):** Agreed? Agreed.

**Hon. Mr. Bradley:** I move that notwithstanding any standing order or the order of the House of earlier today, the House continue to meet beyond 6 p.m. for the purpose of completing consideration of the motion for second reading of Bill 78, An Act to amend the Education Act, the Ontario College of Teachers Act, 1996 and certain other statutes relating to education, and that following completion of the motion for second reading of Bill 78, the Speaker shall adjourn the House until Thursday, April 13, 2006, at 10 a.m., and that this afternoon's debate shall be considered one full sessional day of debate on the motion for second reading of Bill 43, An Act to protect existing and future sources of drinking water and to make complementary and other amendments to other Acts, which debate shall be adjourned by the Speaker at 6 p.m.

**The Acting Speaker:** Shall the motion carry? Carried.

It being nearly 6 o'clock, we will call for a suspension of today and will recognize the government House leader for orders of the day.



EDUCATION STATUTE LAW  
AMENDMENT ACT  
(STUDENT PERFORMANCE), 2006

LOI DE 2006 MODIFIANT DES LOIS  
EN CE QUI CONCERNE L'ÉDUCATION  
(RENDEMENT DES ÉLÈVES)

Resuming the debate adjourned on April 11, 2006, on the motion for second reading of Bill 78, An Act to amend the Education Act, the Ontario College of Teachers Act, 1996 and certain other statutes relating to education / Projet de loi 78, Loi modifiant la Loi sur l'éducation, la Loi de 1996 sur l'Ordre des enseignantes et des enseignants de l'Ontario et certaines autres lois se rapportant à l'éducation.

**The Acting Speaker (Mr. Michael Prue):** I'm given to understand that on that last day of debate Mr. Tascona had the floor. But he is not here. Is there any further debate?

It is my understanding that Mr. Bradley moved second reading of the debate. Would you wish to close? Do you wish to make a statement?

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** No.

**The Acting Speaker:** Mr. Bradley has moved second reading of Bill 78, An Act to amend the Education Act. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

Shall the bill be ordered for third reading?

**Mr. Peter Kormos (Niagara Centre):** No.

**The Acting Speaker:** I definitely heard a no.

To which committee shall the bill be referred?

**Hon. Mr. Bradley:** I ask that the bill be referred to the social policy committee.

**The Acting Speaker:** The bill is referred to the social policy committee.

It now being after 6 of the clock, and in agreement with the motion just carried, this House stands adjourned until 10 o'clock tomorrow.

*The House adjourned at 1800.*

# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon. / L'hon. Michael A. Brown

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

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Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
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Guelph-Wellington	Sandals, Liz (L)	Niagara Falls	Craiton, Kim (L)



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Northumberland	Rinaldi, Lou (L)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
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Ottawa–Orléans	McNeely, Phil (L)		Bisson, Gilles (ND)
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine (L)</b> Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones	Timmins–James Bay / Timmins-Baie James	<b>Smitherman, Hon. / L'hon. George (L)</b> Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
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Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V. (L)</b> Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse		Sergio, Mario (L)
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
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Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)	York North / York-Nord	
Simcoe–Grey	Wilson, Jim (PC)	York South–Weston / York-Sud–Weston	
St. Catharines	<b>Bradley, Hon. / L'hon. James J. (L)</b> Minister of Tourism, minister responsible for seniors, Government House Leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement	York West / York-Ouest	

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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No. 60

N° 60

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Second Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

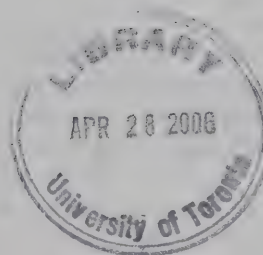
Deuxième session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Thursday 13 April 2006**

**Jeudi 13 avril 2006**



Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 13 April 2006

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 13 avril 2006

*The House met at 1000.  
Prayers.*

## PRIVATE MEMBERS' PUBLIC BUSINESS

### HAMILTON DAY ACT, 2006 LOI DE 2006 SUR LE JOUR DE HAMILTON

Ms. Marsales moved second reading of the following bill:

Bill 80, An Act to name the first Wednesday in October Hamilton Day / Projet de loi 80, Loi visant à désigner le premier mercredi d'octobre comme Jour de Hamilton.

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 96, you have up to 10 minutes, Ms. Marsales.

**Ms. Judy Marsales (Hamilton West):** This is indeed a proud moment for me to speak on this private member's bill identifying the first Wednesday in October as Hamilton Day. This idea is anything but frivolous. In a world too quick to be critical, too cynical to enjoy the moment, I am proposing that we take a day in October of each year to celebrate the great city of Hamilton. It is said that to celebrate something is to recognize its value.

The ambitious city, as Hamilton was known in 1847, was a hive of industrial activity. Building on the shipping convenience, great companies built their empires: Dofasco, Stelco, Westinghouse, J.I. Case, John Deere, Studebaker, International Harvester, Firestone, Procter and Gamble, Stanley Steel, Otis Elevator, Life Savers, Wagstaff, E.D. Smith. My goodness, I could go on. In addition to these well-known manufacturing names, Hamilton was famous for what's known as the rag trade: McGregor, Hathaway, Young's—empires built by families like the Southams, the Hendrys, the Piggotts.

What has happened to Hamilton since the lofty days when we were the economic engine of Ontario and, it could be argued, the economic engine of Canada? Well, Hamilton is reshaping its vision for success. We're rebuilding its dream, and my objective is to have a day to reflect on our past, not just on our past greatness, but to recognize and celebrate our future, recognizing today's accomplishments as the building blocks of tomorrow's model community.

Hamilton should be synonymous with the word "opportunity." It is said that past performance is the best predictor of future actions. If that is so, Hamilton is destined for greatness. Hamilton has a great history, forged by location, people and politics. The old slogan, "the ambitious city," at the turn of the last century, was coined because of its dramatic industrial growth and powerful individuals, whose presence inspired great achievements in industry, education and wealth creation. It is my passion for what I perceive as the huge potential that exists today in Hamilton that has inspired this private member's bill which is before you today.

Too often we take things for granted, such as our grand city of Hamilton, nestled at the head of Lake Ontario, captured by the majesty of the Niagara Escarpment, with its panoramic views and vistas, multitudes of waterfalls and the focal point from where it all began: Hamilton harbour. It was this great harbour that provided the perfect shipping opportunity needed to support the industrial development, and the resting place of the Hamilton Scourge from the War of 1812.

The city of Hamilton has suffered in the past decade by a perception of poor image. Mr. Speaker, what do you think of when you hear "Hamilton"? My experience is that most people think about a city left behind in industrial pollution after the post-war boom. But I am here to paint a much different picture—a picture of a beautiful city with more parks per capita than any other, with some of the most exciting, architecturally interesting buildings and houses dating back to the mid 1850s.

We've not always embraced the legacy of our heritage buildings, and sadly, we've torn so many of them down. It's almost painful to read the books: *Vanished Hamilton* by Margaret Houghton or *The Grand Old Buildings of Hamilton* by Brian Henley. These historians, including Patricia Filer, give us a window to our past. I believe that, as we learn to celebrate the greatness that is Hamilton, our renewed appreciation for its heritage will emerge as we build our vision for the future.

By celebrating the first Wednesday in October every year as part of the city of Hamilton's tourism month, we want to extend a welcoming hand to all former residents and children of Hamilton to come home and visit—rediscover their roots. When my daughters, Andrea and Allison, went off to university, one to McGill and one to Dalhousie, their pride in Hamilton was dashed by their roommates, who saw Hamilton as less than attractive. How many of us parents in Hamilton have exported our young people? Our young people went off to other cities in the world to do great things, to find their fame and

fortune. This day in October is going to be the rallying cry and a grand day for celebration.

On March 22, 1816, the Legislature of Upper Canada passed an act to erect and form a new district to be called Gore. They also established a courthouse and a jail to be erected in the town of Hamilton. One of the major attractions to settlement here was the lovely harbour. Twice the size it is now, it was crystal clear with gleaming white sands; you could wade out forever. On January 8, 1833, the Legislature passed a further act to define the limits of the town of Hamilton in the district of Gore and to establish a police and public market therein.

It was during the period of the 1890s that Hamilton became an industrial hub in south central Ontario. The early concentration of iron and steel manufacturing here was not accidental. Hamilton was in a very advantageous location. Nearby coal supplies in the States and the plentiful supply of iron ore in northern Ontario, plus Hamilton's superb natural harbour on the Great Lakes, made it the logical focus in the new industry.

An American visitor to Hamilton in 1889, who was greatly impressed with Hamilton's industrial potential, wrote, "Look down upon it from the mountain top and it is one vast field of tall chimneys and the smoke from its hundreds of factories hangs over the city like a beautiful web." Well, that impression of Hamilton, while economically charged, lingers even today—but not with the same positive connotation, I'm sad to say.

Bill 80 is designed to replace those tired old images with today's reality. Yes, we love our Tiger-Cats and we love our Tim Hortons, and yes, Tim Hortons has become a household name. A famous hockey player and police officer, Ron Joyce, turned Tim Hortons into a Canadian icon, where the term "double double" is now recognized terminology. Yes, it all began in Hamilton from a dream, an entrepreneurial spirit of hard work and determination.

1010

Hamilton is a city with a destiny to be a world leader in research, in medicine, in education, a model city where diversity is not only accepted but welcomed. We will be the brain trust of the next generation. Hamilton was blessed with a location as scenic and beautiful as any in the world, from its majestic escarpment to its gracious harbour, bustling with world trade and beautiful ideas and energy.

I also want to speak to some of the wonderful things about our great airport. Did you know that our airport—Hamilton airport, affectionately known as HI—has grown into the number one in the country for courier, cargo and freight shipments? In 2003, one million passengers passed through its gates.

I want to ask you, what do these famous names have in common, names like Eugene Levy, Kathleen Robertson, Martin Short, Dave Rave, Bertram Brockhouse, Roberta Bondar, Richard Rohmer, Morgan Firestone, Bob Doidge, Ian Thomas, Danny Lanois? They are all Hamiltonians. We have an amazing legacy. We celebrate international artists who call Hamilton home, we celebrate entertainers, we celebrate war heroes, we celebrate

astronauts. We celebrate everyday citizens who strive to enrich this wonderful city. We celebrate the courage of the men and women who came to our city with only hope to build a future.

I read recently that snowflakes are one of nature's most fragile creations, but when they stick together, they can create immense beauty and stop even the largest of man's creations. Well, today I will use Hamilton's motto, "Together Aspire, Together Achieve." Hamiltonians are sticking together. We abound with potential as we move forward to achieve new heights, build new businesses, create new and greater opportunities. Once called "the ambitious city," "Steeltown," "the hammer," "hammer town," the "lunch bucket city," together, let's make room to celebrate Hamilton. Let's have a Celebrate Hamilton Day. Let's bring us together. Let's forge new ideas, forge new dreams, entrepreneurial spirit. Let's bring all of our businesses together under one great celebration, under one great flag, and that is of Hamilton. Enriched Hamilton is enriched Ontario, enriched Ontario is enriched Canada, and enriched Canada is enriched citizens, all the citizens of this mighty land. Let us celebrate Hamilton together.

**The Deputy Speaker:** Further debate?

**Hon. Marie Bountrogianni (Minister of Intergovernmental Affairs, minister responsible for democratic renewal):** First of all, congratulations to my colleague from Hamilton West. She encompasses the best of Hamilton right there. Congratulations.

I'm just honoured to stand before you and speak in support of Bill 80, Hamilton Day Act, which seeks to name the first Wednesday in October Hamilton Day. As a proud Hamiltonian, I'm thrilled to have the opportunity to sing the praises of our great city, and I commend my colleague, the member for Hamilton West, for the opportunity.

When you stop to consider the incredibly diverse scope of all the areas where Hamilton excels—industry, education, health and culture—it becomes clear that Hamilton is a city with heart, drive and vision. Hamilton is a city that has seen rapid growth over the last 15 years. Now the fourth-largest city in Ontario, Hamilton is ranked as one of the top 10 places to do business in Canada. We are renowned as the home of Canada's steel-producing companies Dofasco and Stelco, earning us the nickname "steel city." While we're proud of that steel heritage, however, I want to be sure that anyone who might not have stayed up to date on everything that's going on in Hamilton knows that we've grown into much more.

Hamilton is also home to McMaster University, one of the leading post-secondary institutions in Canada. The faculty of health sciences at McMaster is renowned worldwide for its innovative small-group, problem-based-learning method of instruction. I had the privilege of teaching in that program before being elected. Mohawk College is one of Canada's largest community colleges, also renowned for its health care focus in the form of its unique, experienced-based nursing program.



My mother completed her early childhood education studies at Mohawk College. Together, McMaster and Mohawk are the foundation of Hamilton's strong medical community and its commitment to research and innovation in health sciences.

I'm very proud to be part of a team of local MPPs, including not only the sponsor of today's bill, Ms. Marsales, but also MPPs Ted McMeekin of Ancaster-Dundas-Flamborough-Aldershot and Jennifer Mossop of Stoney Creek, who have worked so hard with me to secure over \$400 million for expansion and redevelopment projects for Hamilton Health Sciences, St. Joseph's Healthcare and St. Peter's Hospital, ensuring that Hamilton will continue to be an innovator, a resource and a champion in the health care field.

What we don't hear said enough of Hamilton is that it's also a beautiful place to live. It is home to a vibrant cultural community. Opera Ontario is quickly establishing itself as an important venue for operatic talent. Known for its commitment to supporting young Canadians on the brink of international careers, Opera Ontario is becoming the place to see and hear the best young Canadian singers. I can attest to that. My husband and I were there, and I'm afraid to say that he usually sleeps through opera, but he was crying through the opera that we went to at Opera Ontario in Hamilton. It was superb; it was amazing.

Many years ago, when my parents immigrated to Montreal, most of their friends came to Toronto after Montreal. But my late father said, "There's a great place I've heard of called Hamilton. Let's go there; let's try there before we try Toronto," and they never looked back. I was born in St. Joseph's hospital; one of my children was born in St. Joseph's hospital. It's a place with heart. What you see is what you get in Hamilton. There are no artificial nuances there. The nuances are real. That's the kind of honesty, the kind of heart, the kind of determination that makes it such a wonderful place to live, a wonderful place to raise children, a wonderful place to work, with our universities, our industries, our tourism, our beautiful landscape, the harbour, the Mountain. We affectionately call it "the Mountain" even though it's an escarpment, but it's absolutely gorgeous and the views are incredible.

I'm very proud to be here with my colleagues. Thank you very much, Hamilton West member, for this opportunity. Congratulations to you and to all my colleagues for the wonderful work they do on behalf of our city, all of the colleagues around the House—Ms. Horwath from Hamilton East. We all love Hamilton. Despite our differences politically, we all love Hamilton. That's a commonality.

**The Deputy Speaker:** Further debate? The member from Waterloo—Wellington—no, Kitchener—Waterloo. I have had a rough week on these names, for some reason.

**Mrs. Elizabeth Witmer (Kitchener—Waterloo):** Thank you very much, Mr. Speaker. I'm certainly pleased to join the debate. I want to compliment the member for Hamilton West. It's obvious that she takes

great pride in her community and seeks today to ensure that Hamilton Day would be recognized the first Wednesday in October. Certainly, she made a very enthusiastic presentation here, demonstrating why this should indeed happen and why they should have this distinct day of recognition.

I would certainly concur: I think Hamilton is a very, very exciting place. I've had the opportunity to visit there on many occasions, particularly when I was Minister of Health, when we made some substantial investments in that community. It is a community that can take pride not only in its past, but also as it moves forward into the future with its outstanding university, college and health institutions.

I want to briefly use this opportunity, though, to speak about the fact that we have many outstanding communities throughout the province of Ontario that, like Hamilton, have a proud past and that, like Hamilton, are very energetic and very innovative and certainly have a future that is filled with optimism and with hope. I want to just speak for a few minutes about my community, Kitchener—Waterloo, in the region of Waterloo.

Our region had roots—there were Pennsylvania Germans who settled there; we've had Scottish people settle there. We've had people from all over the world come to the region of Waterloo. Again, although it started in the past as an agricultural community, we have now moved forward to a point where we are a thriving community. We have manufacturing, we have research, we have technology, and our community also is proud to have two outstanding universities: the University of Waterloo and Wilfrid Laurier University. We have a college, Conestoga College, that has been named number one for eight years in a row. We have two outstanding hospitals in Kitchener-Waterloo and the hospital in Cambridge as well—so we have three. We are home to many of the high-tech companies that are quite capable of competing with the Silicon Valley in the south, names like RIM and Open Text.

1020

And of course our community has been represented in the past by some outstanding MPPs. One in particular, who played a very significant role in the life of our community and made a wonderful contribution when he was here, was John Sweeney, who was loved by people in our community. I had the opportunity to succeed Herb Epp, who has now become the mayor of the city of Waterloo, and I have been very privileged, since 1990, to serve the region of Waterloo with my colleague Ted Arnett. So it has had proud representation in the past and it has proud representation today.

Our community, like Hamilton, is enthusiastically moving forward into the future. We are very fortunate in the province of Ontario to have dynamic cities such as Hamilton or Kitchener-Waterloo—the region of Waterloo—making a contribution to this great province. We see a thriving economy, we see thriving art and culture. We are very, very proud of our communities.

I compliment the member from Hamilton West for bringing forward Bill 80, An Act to name the first Wed-



nesday in October Hamilton Day. I would agree with her. Hamilton has been a very significant contributor to Ontario's political, economic and social spheres, and has a rich history of which it can be extremely proud.

**Ms. Andrea Horwath (Hamilton East):** It's certainly my pleasure to be here today to add my comments about Bill 80, An Act to name the first Wednesday in October Hamilton Day, so that we can celebrate Hamilton on a particular day. But I really believe that Hamilton can be celebrated every day of the year, that it has so much to celebrate that one day really isn't enough to cram in all the wonderful things we should be celebrating about the city of Hamilton. So I spent some time putting together in my mind some of the things that I celebrate on a daily basis about the wonderful city of Hamilton, and I thought I would share some of those things with this House today.

Before I do that, though, I thought it would be important to acknowledge some wonderful people from Hamilton who are up in the gallery, particularly people who work on some of the wonderful things that are worthwhile celebrating. We have Alice Willems from the Canada Marine Discovery Centre, which sits as a jewel on our waterfront; she does some wonderful work there. We also have David Adames from Tourism Hamilton, who does some wonderful work in terms of bringing people not only from Ontario but from across the country and across the world, in fact, to see the wonderful things our great city has to offer. And what is that? I think it starts with great people. There are a couple of examples are here in the gallery but certainly great people in every corner of the city of Hamilton, no matter where you look, and those great people bring great community spirit and great community pride to our city every day.

We have a wealth of community organizations that work very hard to provide services and help people with issues that range from everything from settlement services to violence against women programs to anti-poverty programs and seniors' programs—a number of people. In fact, Hamilton was celebrated as having the most number of volunteer hours—

*Applause.*

**Ms. Horwath:** Exactly—in a country-wide scoring of volunteer hours. Hamilton won that because we really do have a wonderful group of people in our community who do so much great work. Not only are those people volunteers, but they're also the staff of some of the fabulous organizations that our city is blessed with.

We have a wonderful diversity of people who live in the city of Hamilton. More than 50 languages are spoken. We welcome citizens from literally every country in the world. As already mentioned by other members from Hamilton, we have fabulous institutions like McMaster University, Mohawk College and of course our medical centre, through Hamilton Health Sciences, is renowned, as well as St. Joseph's, for their medical research and the groundbreaking technologies they work on on a regular basis.

A skeptic might actually look at the timing of Bill 80 and conclude that perhaps it might be a gesture of polit-

ical opportunism. I'm sure it was just a coincidence, because I would disagree with that particular thought. It's only a coincidence, I'm sure, that in 2007, after this bill has been passed, our Hamilton Day will happen to be celebrated on the very day before the next provincial election—if the McGuinty Liberals keep their promise around when the election is coming. Anyway, I thought that was a bit of levity to add to the comments I have today, because regardless of what day it falls on, all of us are going to be there to celebrate our great Hamilton Day.

Who is that and what is that? It includes a burgeoning arts district on James Street North, in the centre of our city. There are other smaller arts districts as well in the city of Hamilton, including Barton Street and Lock Street. The arts are really thriving in the city of Hamilton. That is led by a world-class art gallery that sits right in the middle of our downtown.

We have a diverse business sector. We have many active business improvement areas with very active boards of directors that are always striving to provide superior goods and services to the people of Hamilton. We have Hamilton harbour, which I've mentioned briefly in terms of the Canada Marine Discovery Centre. We also have many sights and attractions that highlight our natural environment.

The Minister of Intergovernmental Affairs already mentioned the number of waterfalls that Hamilton has and the escarpment Hamilton has, but we have a significant trail system in Hamilton that people can actually utilize to take advantage of those natural areas, and those trails go throughout the escarpment. They link up with the Bruce Trail, the famous trail that goes from Tobermory to Niagara Falls. Part of that is in the city of Hamilton. Of course, our community took advantage of that and linked our trail system into that trail system. We have a waterfront trail, which is a fabulous magnet for people, not only Hamiltonians but many others, as they get some recreation time in the summer. We also have a series of rail trails. We have a waterfront trail now on Lake Ontario as well and have just completed a light-house facility there that adds wonderful opportunities for people to spend time down at our lakefront as well as our harbourfront.

I have pages and pages of wonderful things that I think we should be celebrating. In fact, part of the Niagara Escarpment, as many people know, is a UNESCO-designated world biosphere reserve, and that's something that we also celebrate regularly in Hamilton.

We have great urban neighbourhoods in Hamilton. We have great areas of scenic countrysides, beautiful parks, wonderful opportunities for recreation.

We have a very mixed economy: On the one end we have heavy industry, and on the other end we have lush farmland that contributes significantly to our economy. We have a very mixed economy in the city of Hamilton, and we are certainly extremely lucky to have that.

We have a number of wonderful festivals and celebrations that take place in Hamilton, everything from Festitalia in the fall of every year, to Black History



Month in February of every year, to the Greek Opal Festival, to the annual Racalmutese festival; we have Portuguese celebrations, we have Chinese New Year celebrations, and we have South Asian celebrations. Our community celebrates on a regular basis, and Hamilton Day will be another opportunity for us to do that.

But I believe there's an opportunity now, in the context of this discussion, to recognize that notwithstanding all the good things that our city stands for and all the wonderful opportunities to celebrate, including Hamilton Day—and I'm all for it—I think we're also obliged to look at some of the aspects we wish we could celebrate but still are not able to. For example, we still have a crisis in wait times in hospitals, notwithstanding the hard work that our medical facilities do. We saw that with David Malleau, that constituent of mine for whom it took over a year and a half to have his skull replaced after brain surgery. We have Eric Trimmer, another fellow from Hamilton who is struggling to get treatment in a residential eating disorder treatment program and has still not been able to do that.

1030

We have a serious need for more affordable housing in our community, but unfortunately the government continues to claw back hundreds of millions of dollars in federal housing money instead of putting that into the building of affordable housing in our community.

Unfortunately, we have a situation where the national child benefit is still being clawed back. I thought it was important to raise that, because very recently, another thing to celebrate was a young lawyer from McQuesten Legal and Community Services, Craig Foye, who was sent off to the United Nations Committee on Economic, Social and Cultural Rights by a community committee on income security, the Income Security Working Group of the legal clinic system, I believe. Craig was sent there to talk to the United Nations about the problems that Canadian cities are having in terms of meeting their human rights obligations in regard to income security.

I wanted to quote a little bit from Craig's cover letter to the document that I believe he sent to all of our local MPPs:

"Unfortunately, as the report"—which I have with me—"shows and as you may already be aware, the right to an adequate standard of living is not currently being acknowledged or protected by either the provincial or federal governments. Currently, we have social assistance rates that fall far below subsistence levels of income, and those rates remain arbitrary numbers with no relation to the actual cost of basic necessities. While efforts have been made to respond locally to the homelessness crisis, we are nowhere close to providing the numbers of rent-geared-to-income units that are required and the Ontario Rental Housing Tribunal continues to evict many thousands of tenants for arrears of rent, many without a hearing."

It goes on to talk about the number of unemployed workers who don't qualify for benefits. "The minimum wage"—Craig goes on to say—"falls below poverty

levels, meaning that even those workers working full-time or more may not be able to pull their family out of poverty. Not surprisingly, local individuals and families who cannot afford to feed themselves must turn to food banks and meal programs in numbers that have not been seen since the Great Depression. This poverty is being experienced disproportionately by many already vulnerable groups, including, but not limited to: women, seniors, newcomers, aboriginal persons, persons with disabilities, and visible minorities."

That's from Craig Foye of McQuesten Legal and Community Services, an organization that I used to work for. Nonetheless, I thought it was important that we have a reality check as well about the things we still need to do. If we're going to reach the goals that Ms. Marsales says she wants to reach in the ongoing growth of Hamilton, many of these very basic issues must be addressed.

The national child benefit clawback is an exacerbation of the poverty problems we have in Hamilton. If this government had only stopped the clawback, it would have helped.

We continue to see the Liberal government allowing things like Liberty Energy, ABP Recycling and other noxious waste management proposals to escape full environmental assessment processes, which is not a good thing for the air quality in the city of Hamilton.

We see a need for further growth services in the city of Hamilton. There are a number of other issues here, concerns I have that I've raised in this House and that need to be addressed.

We have a property assessment system that hopefully is going to get fixed. It's currently in a shambles. In fact, the member who brings the bill forward, the member from Hamilton West, will know this very well because one of the hardest-hit areas in terms of property tax assessment is in a ward that sits in the riding that she represents, which is ward 1. Unfortunately, the ward councillor is taking the hit for that, but it's really the provincial government that needs to fix the tax assessment system that's driving people out of their homes, particularly seniors. The business improvement areas have asked to create new property tax classes that would see properties—actually this is not the case. It's the residents of those very neighbourhoods that are affected by property tax problems who would like to see property taxes changed to have a new class of property around universities and colleges that can be taxed specifically as investment properties, as student housing, rather than residential, because that is in part what's driving up the property assessments near McMaster University in ward 1, which is represented very ably by a friend and colleague of mine, Brian McHattie.

Nonetheless, these issues have not been dealt with by the McGuinty Liberal government. I'm really hopeful that they will see the light and begin to address some of these issues.

Air quality is an ongoing problem. We have a monitoring station that we lost under the Harris government



in Hamilton East. I'd really like to see that monitoring station re-established, particularly since there's been a new development in the east end, a significant contributor to our air shed, which is an expressway. That was a very difficult project for our city, but, nonetheless, it's on the way. It's being built. We need more than ever to make sure we're monitoring our air quality.

There's also the ongoing systemic issue of the government not dealing with the problem we have around our ability to have a fair, equitable and appropriate balance of payments, if you want to call it that. The downloading has crippled our city. I'm sure there are lots of things David Adames has in terms of ideas on tourism. There are many other projects the city would like to undertake but they're hamstrung by lack of funding room in their budgets because this government—and I congratulate them for, year after year, topping up our city's ability to meet expected needs, but still the city is calling for a systemic response to the ongoing budget problem. They shouldn't have to come here every year, cap in hand, begging for some money.

You know what? I have many more, but the bottom line is, the balance of issues that I think are most important for Hamilton Day is celebrating the positive. We're extremely proud of our city. Every single one of us who sits in this House is extremely proud of this city. We have very much to celebrate, but we also have a heck of a lot of work to do. I'm hoping the member from Hamilton West, the member from Stoney Creek, the member from Ancaster-Dundas-Flamborough-Aldershot and the member from Hamilton Mountain will work with me and try to push some of these other issues forward. It's a very nice idea to have Bill 80, and I'm going to be supporting it, but we also need some very real action on behalf of Hamilton's concerns. I look forward to their support on all the initiatives that I'm putting forward to try to move the yardsticks that I've just mentioned.

I wanted to quote a saying that I found in a book of quotations by someone named William Jeffrey Prowse, and it goes like this. I hope Mr. Prowse forgives me for changing around a little bit of the wording, but it reminded me of Hamilton and I thought I should share it with you:

Though the latitude is rather vague  
And the longitude is also uncertain  
The persons I pity know not the city  
The beautiful city of Hamilton.

I look forward to supporting this bill. I also look forward to being able to help solve some of the other serious concerns that our city has. Notwithstanding that, Hamilton is a great city. We have so much to celebrate. I'm very proud to be here on behalf of the constituents of Hamilton East.

**Ms. Jennifer F. Mossop (Stoney Creek):** I am very pleased to wade in on this debate. I had an interesting conversation with some other members in the House, because you have to wonder—we're a provincial Legislature, and one says, "Why a Hamilton Day? Why not a London Day or a Kitchener Day or a Chatham Day or a

Sioux Lookout Day?" We had one suggestion from the member from Hamilton East, which was potentially that this was political opportunism. She didn't say where that suggestion came from, but it was certainly the first time I had heard that suggestion. She says she doesn't think it's valid. I can only say, why even raise it? I know it is not a valid suggestion because I happen to know that the member who is introducing this bill is one of the most fiercely proud people of her hometown, the city of Hamilton. That says a lot. If you know anything about Hamilton, you know it deserves a Hamilton Day because its people are so fiercely and rightly and deservedly proud of their city. The one thing I have learned in my many years—and I've spent my entire professional career working in Hamilton—is that there is a deep sense of pride and ownership in the city of Hamilton.

I think to some extent it has to do with all the things that we've heard people talk about today. It is probably one of the most beautiful places in the world. I stand in my corner of Hamilton in awe, truthfully. I stand and look at the escarpment. I look out over Lake Ontario. I look at the tender fruit land. It's the best in the world. We have lost a lot of it to development, but it's still there. The orchards, the fruit trees, all of those things are in my riding and they are part of Hamilton. I look at the bay and I wonder sometimes what it must have been like when people first arrived from Europe, when they came to this corner of the world and they saw the harbour, the lake and the escarpment. They must have thought they were in a paradise, because with the escarpment also came the ability to grow fruit that you can't do in any other part of the world. It is unique and very special. There are all those attributes. There are the people, the physical attributes, the geography, which have been referenced. There are all the great things that have happened in Hamilton because of those people over the many years.

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But there is, to a certain extent, also an underdog component to the psyche of Hamilton, and it comes for a number of reasons—partly because it is right en route between the great United States of America and the capital of our province, and sometimes people have a tendency to drive right past it and don't stop. But any time somebody takes the time to stop in Hamilton and look around, they all say, "I had no idea it was so beautiful. I had no idea you had so much to offer in the area of the arts."

**Mr. Jeff Leal (Peterborough):** What about the Tiger-Cats?

**Ms. Mossop:** And the Tiger-Cats. But people know about the Tiger-Cats. Everybody knows about the Tiger-Cats.

When you bring all these components together, having a Hamilton Day makes total sense. It makes total sense to me.

I reference the fact that I've spent my entire professional career in the Hamilton area. I myself am always very proud and gratified when people call me one of Hamilton's own. But I have to tell you that I have very



deep roots in the Hamilton area. My ancestors lived in Dundas—

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** Oh.

**Ms. Mossop:** —Member McMeekin, on Governor's Road. My great-great uncle worked at the Hamilton Spectator back in the mid- to late-1800s, so I have a deep history in the area. I felt very much like I came full circle when I ended up working at the Hamilton Spectator just about five years ago.

**Mr. Leal:** We used to watch you in Peterborough, Channel 11.

**Ms. Mossop:** There you go. Yes, Channel 11 from Hamilton. Actually there's something people don't know about Channel 11. You can see Channel 11 in Hamilton, which was one of the great independent television stations. It was the first big independent television station in Canada. You can still, to this day, see that via satellite, from Hamilton to Bermuda to Whitehorse. Hamilton brings television entertainment and news to that wide a swath of the planet. There are lots of those little-known tidbits we have about Hamilton.

I just wanted to address this. I'm glad to have the opportunity to do this. I cannot think of anybody more appropriate to have brought this forward. It does make sense. You can make arguments, though, "Why don't we have a day for every city in the province?" but there are special reasons why Hamilton deserves a day, and I've just outlined them. It is that fierce pride. It is those lesser-known things about Hamilton. Just because of where it has been situated, it gets bypassed every once in a while. This is a great opportunity to let people know all those things that I know they want to know. So thank you, member from Hamilton West.

**Mr. McMeekin:** I'm pleased to join my esteemed colleague in sharing a few words about Hamilton, my hometown. I was born and raised in Hamilton. I grew up in the northeast end and then, later in life, when my mom and dad had a few bucks to buy a house, we went to the mountaintop. We saw the city from on high, on top of the escarpment there. I grew up in the west end of the city. It's a great place.

I'm very fortunate. I went back to school as a mature student and graduated from Mohawk College before going on to McMaster where I met my wife, who graduated eventually from the McMaster medical school, one of the most innovative medical schools in the world. In that context, I retired from politics after being elected the youngest member of Hamilton city council back in the 1970s. Thinking I'd never get involved in politics again, we moved out to Flamborough, and you know what? I fell in love with the beautiful town of Flamborough, and as fate would have it, I had the opportunity to serve a couple terms out there as the mayor of Flamborough.

We have an interesting history there. As you know, the city of Hamilton is now a greater city of Hamilton, it's a bigger city of Hamilton, and it's much more diverse now that it includes the former municipalities of the city of Stoney Creek and the township of Glanbrook and—

**Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell):** And dedicated MPPs.

**Mr. McMeekin:** That's right—and the towns of Dundas, Ancaster and Flamborough. We bring to the new city of Hamilton a rich agricultural culture—over \$1 billion contributed through the agricultural sector—and of course some wonderful places to spend a few hours or a few days: the lion safari, Flamboro Downs, Rockton World's Fair, Flamboro Speedway, Wentworth village, the Carnegie Gallery, the Dundas school of art, and of course all the festivals: Buskerfest, Cactus Festival, Rockton Berry Farm, what have you.

I go so far back, I think I'm probably the oldest Hamilton member here. I remember when Paul Henderson, Pit Martin and Buddy Blom played for the Memorial Cup-winning Hamilton Red Wings in the old Hamilton Forum, now a housing development. We've been involved as a family for some 50 years as season ticket holders to the on-again, off-again Tiger-Cats. Talking about living between memory and hope—although yesterday's news of Corey Holmes and some others coming to Hamilton has got us all pretty excited.

My colleague from Hamilton East mentioned that we're the number one city in Canada on a per capita basis in terms of volunteerism and volunteer donations—

**Ms. Mossop:** And artisans.

**Mr. McMeekin:** And artisans. One of our greatest strengths is our artisan community, our diversity. In fact, Hamilton was the departure point for many of our immigrants. As the grandson of a Scottish immigrant who landed in Hamilton, I treasure that part of our history.

I want to comment just briefly, because I think the member for Hamilton East was on to something about the poverty issues in the city. I want to compliment the great city for the action it's taken with the round table on poverty, a great initiative. When I was growing up in the east end, I was one of those northeast-end kids who sat on the curb looking for trouble. Actually, trouble was looking for me. I remember the YMCA street worker who befriended me. I thought that 25-cent membership, Frank, that I paid every month at the Y—it didn't; it was one of those groups that picked it up for the poor kids. It's funny how things come around. Later in life, I served as president of the Hamilton-Burlington Y. I served overseas, and as mayor of the town of Flamborough, now part of the city of Hamilton, built a partnership family YMCA.

Great city, great future. We want to look back with pride and ahead with hope.

**The Deputy Speaker:** Further debate?

**Mr. Frank Klees (Oak Ridges):** I'm pleased to join in the debate on this private member's bill brought forward by the member for Hamilton West. I think it's important for the residents of Hamilton and I would say certainly the constituents of the honourable member's riding to understand exactly what it means that she would bring this private member's bill forward.

As members of this Legislature, a private member's bill opportunity is in fact something that's very cherished when you consider that we, as members of this Legis-



lature, are elected here to four-year terms and private members' business is something that is the very special privilege of each and every one of us as members. But it is not something that you can bring forward for debate every day or every other day. Every member is allocated one private member's business ballot and we often wait an entire year, and sometimes, depending on how the business of this place takes place, some members end up going through an entire session of Parliament without being able to actually table a bill. So as members of this Legislature, we consider very carefully what it is that we want to use this hour for in order to raise an issue of ultimate importance to us for the Legislature to consider, to debate and in fact to provide profile for the entire province. Clearly, the member from Hamilton West considers this her opportunity to take that very special time of legislative debate to talk about and to honour her city. Who can argue with that? We support that. We honour it as well by joining in this debate, and I commend her for her initiative in doing so.

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Now, having said that, I want to take this opportunity to make the Legislature aware that there will also be a bill coming forward in honour of Aurora, in honour of Newmarket, in honour of Richmond Hill, in honour of Whitchurch-Stouffville, in honour of King township—all places that I have had the opportunity to represent—and I look forward to having the opportunity over the next 25 years of my career here to table one of those bills at the appropriate time, subject to the grace of the electorate and all that goes with that.

I had the privilege of serving in this province as Minister of Tourism. It wasn't until I had the opportunity in that capacity to really become familiar with Hamilton. I knew Hamilton, as we all do. In fact, I grew up with a very good friend by the name of Siegfried Tepper, who was not born in Hamilton but he certainly grew up there. Our families were friends and I would visit with him because my sister lived in Hamilton. We played in Gore Park. I remember those days very well. Siegfried Tepper studied at McMaster. He is an accomplished pianist, renowned worldwide. He is a composer, a conductor. He headed up the Burlington chamber orchestra—I was on the board of that organization for a number of years—and he now travels the world. He does so by a calling. He was and continues to be incredibly proficient as an artist, as a composer of classical music. No one can perform Mozart the way he does. He has taken his talent and, as I say, he's now travelling the world. He has been called to a Christian ministry and he uses his talent and his calling to not only entertain people and distribute the beauty of music, but also to make his message of Christianity one that is relevant in many parts of the world.

I mentioned before that, as tourism minister, I became familiar with Hamilton. You know, I must admit, and I say to many people who often talk about Hamilton as Steeltown—no one should take that in a negative sense. In fact, that is a huge compliment to the industrial history, the strength of that city. But beyond that, I agree with the member from Stoney Creek that it is in fact one

of the most beautiful cities, I believe, not only of this province but in this country. Every time I drive up that mountain along the escarpment, I am incredibly amazed at how beautiful that view is and the privilege that people have of living there. On occasion, there's a hue that we all would like to see disappear. All of us in this place have a responsibility in terms of the environment to ensure that the air matches the beauty of the escarpment. I think there are a number of initiatives that government and all of us in this place can undertake to ensure that we work towards that. I want to compliment the city for the good work that it has done in terms of overcoming some of its challenges, its economic challenges, over the years.

As Minister of Tourism, I stood beside my colleagues at the time who were advocating for Hamilton as the home of the 2010 Commonwealth Games. I worked with the committee that was advancing that proposal. I want to again take this opportunity to commend the volunteerism within that city, because the work that they did I believe was second to none. They made citizens of Hamilton proud, and I can tell you that, in my humble opinion, Hamilton should have been awarded the privilege of hosting those games—to the credit of Delhi, who will host those games. I'm sure that there will be other opportunities for the city of Hamilton to step forward in that regard.

I want to just read into the record an article that appeared in the *Hamilton Spectator* not too long ago, and I think it's appropriate to wrap up my remarks in this place with this story. The headline on April 7 reads—I'm sure the members must have read this with a great deal of interest—"John Tory Waves Blue Flag in Hamilton."

I will quote this: "After bunking overnight at the Sheraton Hamilton, Ontario Conservative leader John Tory got a chance to sample some other corners of the city yesterday.

"He was booked for a couple of local radio shows, a swing through Hamilton Health Sciences, a face-to-face with McMaster University president Peter George and a tour and meeting with executives of Arzon Ltd. in the city's east end.

"But Tory's most significant Steeltown stop took place Wednesday, the evening before, at a standup reception at the Chamber of Commerce overlooking the harbour on Bay North.

"It was not just a party fundraising event. It was the first reception for an Ontario PC leader held in Hamilton in six years, indicating how much the party's fortunes have slumped here," and that is true. I want to put members on notice that we intend to change that. "They obviously hope the fundraiser was a first step in turning that around.

"Guests included sitting Conservative MPPs Cam Jackson, Tim Hudak, Elizabeth Witmer and Ernie Hardeman, plus former local MPPs Brad Clark and Toni Skarica.

"Also spotted were the likes of Orlick Industries owner David Braley, Fellfab founder Don Fell, St. Joseph's Healthcare CEO Kevin Smith, executive consultant Grant Walsh, former police chief Colin Millar, former city



councillors Don Ross and Terry Anderson and council candidate Judi Partridge.

"Tory, who took over the leadership from Ernie Eves about 17 months ago, was smooth and composed, delivering his tidings in a confident, rapid-fire manner."

I just want to, on behalf of John Tory and my caucus colleagues, express our support for Hamilton. We commend the member from Hamilton West for bringing this forward, and we look forward to continuing to do what we can as a caucus to support Hamilton in showcasing all the very best that it has to offer this province.

**The Deputy Speaker:** Ms. Marsales, you have two minutes to respond.

**Ms. Marsales:** First, I want to thank my guests who took time out of their very busy schedules to come here and help us celebrate Hamilton. Alice Willems, Drina Omasic, and David Adames, thank you ever so much.

I want to thank my esteemed colleagues for speaking to this bill. Minister Bountrogianni, member McMeekin, member Mossop, member Horwath, member Klees, thank you all so very much for speaking to this.

These members joined some political giants from Hamilton, names like Thomas McQuesten, Ellen Fairclough, John Munro, Lincoln Alexander, our own Dr. Stuart Smith, and how about Sheila Copps, one of the most dominant political figures, a woman from Hamilton who rose to be the first deputy prime minister of Canada?

We have barely scratched the surface of Hamilton's remarkable assets and legacy. Did you know that one of the first cities in the world to have widespread electric lights for streets and homes was Hamilton? It was known as Electric City. But today, Hamilton is also recognized as a leader in cogeneration, thanks to and a tribute to the engineering genius and leadership of someone named Don Marsales.

Hamilton has so much to celebrate. Today we are a community of aspiration. We are a community of the future. We're a community of hope, dreams, entrepreneurial spirit. We are going to stick together to make this one of the greatest communities to be proud of in Ontario, in Hamilton, Canada.

Thank you for all of your support today. I look forward to everybody coming to Hamilton, joining in this great celebration. On the first Wednesday in October of every year, we are going to have a party. Let's celebrate Hamilton.

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## HOMESTEAD ACT, 2006

### LOI DE 2006

### SUR LE PATRIMOINE FAMILIAL

Mr. Hudak moved second reading of the following bill:

Bill 75, An Act to amend the Assessment Act with respect to homesteads / *Projet de loi 75, Loi modifiant la Loi sur l'évaluation foncière à l'égard des patrimoines familiaux.*

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 96, Mr. Hudak, you have up to 10 minutes.

**Mr. Tim Hudak (Erie-Lincoln):** I thank in advance my colleagues of all three parties who are going to address this bill.

We all know, as MPPs from across the province, that working families, seniors and young people are facing higher taxes, higher home heating costs, increased user fees and, as we saw yesterday, escalating energy costs in Dalton McGuinty's Ontario. Rapidly increasing property assessments and resulting property tax increases are now simply unaffordable to the beleaguered Ontario taxpayers, who have experienced, in the last several years, volatile property assessment increases for a number of reasons, and very importantly because of a hot housing market in various parts of the province.

The facts are that the average assessed home in Ontario has leapt from \$179,000 in 2003's taxation year to \$232,000 for 2006 taxes. In this past year, the average provincial assessment increase in the residential tax class was 14.35%, with many municipalities represented by members here in the assembly today reporting increases from 15% to 35%, and those were just averages. I know that some people in Peterborough, for example, probably experienced double or even triple the average, and they're very concerned about the tax increases that come about as a result. In fact, from the work of many of my colleagues, we've been getting e-mails and distressing letters about shocking assessment increases, some hitting the triple digits from the past year alone.

I want to thank a number of individuals who are now joining us in the gallery who have come here from across the province of Ontario in support of the Homestead Act. As well, a number of organizations have put their support behind the principles of the Homestead Act, and I do appreciate what they have done to help this legislation gain momentum. I'd like to mention Lawrence Barker, the executive director of the Canadian Snowbirds Federation. Bob Topp, president of the Waterfront Ratepayers After Fair Taxation, WRAFT, has joined us today. Brian Maguire is here today as well, and he joined us yesterday in the assembly. He represents the Federation of Urban Neighbourhoods and also is the chair of the Confederation of Resident and Ratepayer Associations in Toronto. Peter Baker, an old friend of the family whom I haven't seen in years, has joined us as well. He's the co-chair of the Federation of North Toronto Residents Association. Terry Rees is another, from the Federation of Ontario Cottagers' Associations. I was very pleased, furthermore, that Mayor Michael Di Biase and Councillor Meffe from the city of Vaughan have become 100% behind this bill, passed a resolution and took the time to join us this morning in a press conference indicating that they are 100% behind this bill. I appreciate their efforts to be here today. I also want to thank members of the PC caucus—Garfield Dunlop, Norm Miller, Frank Klees, John Yakabuski, Laurie Scott, among others—who have given great advice on this bill. Those five, particularly, are going to bring their own remarks today.



I think members know that the scathing report of the Ombudsman that came out a couple of weeks ago had some excellent recommendations, and we hope the Minister of Finance will actually direct MPAC to take up those recommendations.

The Ombudsman's report, though, also indicated some long-term solutions to the issue. His 22 recommendations address the issues of today, but the Ombudsman, in his appendix, particularly talked about advice he had heard surrounding caps on assessment increases and the unfairness of taxing individuals, particularly seniors, on the unrealized capital gains of their homes. It was not in the Ombudsman's mandate to actually endorse this—he said that was in the hands of legislators—but the fact that he took the time to include such ideas in his report I take as hints for legislators to pursue. Those aspects are captured in our legislation, Bill 75, the Homestead Act, today.

The Canadian National Taxpayers Coalition has also written to my office, and I'll give you excerpt from the letter: "I am writing you today"—that was to me—"to express our appreciation for your action of introducing the Homestead Act, 2006, in the provincial Legislature. Your ideas of limiting the skyrocketing assessment within Ontario and its effect on everyone, particularly senior citizens and those on fixed incomes, are very accurate." I appreciate the support of the Canadian National Taxpayers Coalition, as well as the Canadian Taxpayers Federation.

I have another set of endorsement letters, but I think in the interest of time I'll move on to some real-life examples.

Here's a letter sent by a constituent to Norm Miller, the member for Parry Sound-Muskoka, that he was kind enough to share with me: "Our assessment increased by 177.6%. This is not only ludicrous, as there were no properties like ours that have been sold in the last year, but from where we sit, it looks like a smash-and-grab attempt on the part of the government. It is difficult not to be cynical when the last time we had to appeal our assessment on the same property, the island"—I guess they live on—"miraculously increased by 50%.... The fourth generation of our family is now enjoying the legacy that is our family cottage, but they worry about losing that legacy, as many other families across the province." That was from Jane Mackinnon and Sally Skinner.

Here's an e-mail from Brendan Egan from Oakville. He says, "Please do something. My taxes have gone up 35% to 45% over the last four years, just because the area I'm in, north Oakville, has gone crazy with real estate prices, but the tax rate has gone up at the same time." He wishes us all the best on the legislation.

David Harrison writes from Fort Erie, the town in which I grew up. Mr. Harrison says, "I am a 68-year-old retired senior with 20 years of experience providing government, banks and trusts and large corporations with effective, retrievable and readable policies and procedures. Based on my experience of MPAC, they are sorely in need of major overhaul." He wishes us the best on

MPAC and has come fully behind this bill because of the impact on his permanent residence in the town of Fort Erie.

Just to review for members of the assembly the items contained in the Homestead Act, I would like to highlight the four following main policy initiatives.

If the Homestead Act became law, it would effectively cap increases on residential property assessments for tax purposes at 5% a year. This annual cap would be maintained as long as the owner of the home remains the same. Once the home is sold, the assessment for tax purposes would revert to current value assessment.

The bill, if passed, would allow transfer of ownership within a family. If the residence were transferred to a spouse or child of the owner, the cap protection would remain in place.

Furthermore, it would create an incentive for home improvements. Currently, homeowners are concerned that repairs and improvements to their homes will result in higher assessments and, therefore, higher property taxes. Under the Homestead Act, Ontario homeowners could make up to \$25,000 in home repairs and improvements or additions per year—it would act as a deductible—without fearing their assessment would go up by that value.

Fourth, it would create property tax reduction for seniors and the disabled. Under the Homestead Act, seniors and the disabled would not pay property taxes on the first \$10,000 of their principal residence.

The last highlight: It would also require MPAC to maintain a record of the current assessed value of the land and property and provide that copy to landowners within 24 hours free of charge.

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There's no doubt that when we came into office as the Mike Harris government in the mid-1990s, we inherited an assessment system that was broken. You had values in the city of Toronto from the 1940s; in the GTA it was often the 1970s; in Niagara, where I'm from, it was in the 1990s. It was a bizarre assessment world, where folks living in modest homes ended up paying higher taxes because of higher assessments than some living in mansions that had been assessed in the 1940s. We were also in an environment that had just recently gone through decreasing property values in the province of Ontario, and then, through the mid- and late 1990s, modest increases. Today, a hot housing market has propelled assessments to skyrocketing levels that are simply no longer affordable to average middle-class families, seniors and young people in the province.

I think all members of the assembly here today support that Canadian dream of home ownership: the opportunity for a young family to buy a home, the opportunity for that family, once they have children, to pass it on to their children, or for those who have a secondary residence or a cottage to pass it on from generation to generation. There is a value in Canadian home ownership that helps define our identity. That value is threatened today because of the skyrocketing assess-



ments, meaning seniors and young families can no longer stay in residences, particularly those that have been in their families for a long time.

I do appreciate the advice I've received from my caucus colleagues here today, and also members opposite here today who may not be in my party but share the same views and the same principles of this bill, whether it's in Peterborough or Flamborough or here in the city of Toronto or in Brantford, in Oak Ridges or in Parry Sound-Muskoka, who want to see an assessment system that makes sense, like they have in Florida or Michigan or the province of Nova Scotia. I hope I can count on members of all three parties for their support today.

**The Deputy Speaker:** Further debate?

**Mr. Rosario Marchese (Trinity-Spadina):** Thank you, Speaker. I'll be sharing my time with the member from Beaches-East York.

It's going to be a pleasure, for the brief time I have, to be able to attack the Tories as best I can, and share that attack on the Liberals as equally and as respectfully as I can. I want to say, it is a blessing to have the Conservative Party in opposition, it is, because I have seen remarkable changes in the Conservative Party since they have been in opposition. In fact, while we still disagree on almost 95% of the cases, there are issues that we think are interesting from the point of view of opposition, and there are times when we agree with them. It's a remarkable metamorphosis. It's good to see you here, John, right beside me. It is good that you're fighting for some of the folks here, fighting for a reduction in their property taxes—and well-deserved, because we have a problem with the system.

God bless the Tories. When they introduced the current value assessment system, boy, were they gung-ho. They were so gung-ho, in spite of the opposition that we presented as New Democrats. I don't remember these folks coming here saying, "This is going to be evil." But they've realized—good—because they now have the experience of current value assessment to know the full impact, so they're here saying, "We support the Tories now, in opposition, but we had doubts about them when they introduced the bill." That's okay. There's still time for people to have a better assessment of this current value assessment scheme that we're dealing with today, and the member from Erie-Lincoln is concerned, legitimately so, by introducing a very modest bill that will give some measure of protection.

But the other problem that the Tories introduced was the download. You remember now: downloads, uploads—for you it means nothing; I understand that. What the government did was to say, "We're going to take half of the property taxes that go to education and we're going to lift them up," which is called uploading, "and the province will pay for that." But then what they did to make it so-called revenue-neutral was that they downloaded to the cities, to the municipal sector, a whole lot of other responsibilities: ambulances, public health, housing—about a billion bucks and more of the social services. That's called downloading. That was supposed to

be revenue-neutral. The Tories still insist now in opposition that it was; we New Democrats say that it was never revenue-neutral. That meant that property tax owners and tenants and businesses had to pick up more of the costs. That's what it meant. They deny it—"they" meaning the Tories beside me—but it's a reality; that's what happened. That's the big problem that needs to be solved.

Now, the bill that the member from Erie-Lincoln introduces today is a modest—

**Mr. Garfield Dunlop (Simcoe North):** What an exaggerator you've become.

**Mr. Marchese:** Dunlop, you're going to have an opportunity to speak. I want to hear him, and you want to hear him, too.

**Interjection:** I don't want to hear him.

*Interjections.*

**Mr. Jeff Leal (Peterborough):** Frankly, I want to hear you, too.

**The Deputy Speaker:** I'd like to hear him too, so let's have some stability here.

**Mr. Marchese:** Thank you, Speaker. I'm always addressing you as well.

While this bill makes a modest attempt to deal with the problems, it doesn't deal with the fundamentals. Maybe my colleague Michael is going to talk about a lot of these things; I'm not quite sure which ones he's going to touch on. But the whole idea of the bill provides that the first \$25,000 in repairs, improvements made by an owner "will not be considered to increase the current value of the land." That's okay. It's a marginal value. You'll make a couple of dollars of savings—small, though.

The other matter of the disabled and those 65 years of age or over who would have their assessment "reduced by an amount of up to \$10,000"—that might save a hundred bucks for senior citizens, more or less, give or take, here or there. That's okay. That would be fine as a modest improvement to the disaster they introduced it's not so bad, I guess. I'll leave my colleague Michael to speak about the caps.

But the real problem here is that we've got to take off of the shoulders of the property tax owners—that includes seniors, yes, and others—we've got to lift up education and we've got to slowly say to the province, "We have to start paying for that." How do we pay for that? Through a fairer income tax system, an income tax system that says that if you're working and you have a higher income, we want to be able to have you share a little of that income with seniors who no longer have the ability to pay for the kinds of things that we need in society.

An income tax system is better because it says that those who have an income can pay a little more, and for most seniors who are poor or who no longer have the kind of income that could permit for these kind of payments, it can help. But if you whack them over and over again with property tax increases, including current value



assessment increases that jack up the tax even more, they're stuck; they're alone without a little help.

The Liberals have done nothing to deal with this. You recall Sorbara, the former Minister of Finance, said, "We're going to review this for a year and a half." He did; he reviewed it for a year and half, came back, and you know what? The fee to appeal your property taxes went up from 20 or 25 bucks to 75 bucks. That's all we got from Sorbara: "You're going to get whacked, if you go to appeal your taxes, from 20 or 25 bucks to 75 bucks." Thank you very much, Minister of Finance, for all your good help and your review for a year and a half.

The Tories set up the Municipal Property Assessment Corp. and the cities have to pay for that. The cities have to go and get the tax rolls. They have to pay for that, and you have to pay for that. It's not the province that pays for it; cities have to pay for the cost to get the property tax rolls—a system set up by my good friends—John's friends—who were then in government.

So what do we have to do? We've got to lift the property tax base: Six billion dollars out of the \$18 billion that is coming out of property taxes is for education alone. The other big one is social assistance: ODSP, Ontario Works and related drug programs—\$1.3 billion on the backs of property owners that has nothing to do with municipal services whatsoever; about one billion bucks for social housing, courtesy of the former Conservative government, downloaded on property taxpayers; one billion bucks, courtesy of my friends here on the right, \$1 billion. What has that to do with municipal services that a homeowner gets for providing social housing? Nada; zip; nihil; nothing. That's courtesy of my good colleagues now in opposition, so cozily ensconced in their seats. It's beautiful to see them here; I hope they'll stay here for a long while.

But I want to say that the Liberals, God bless them, have done absolutely nothing. You've got the Minister of Finance here, full of hubris every day, talking about, "Oh, we're so great in doing so much." They're doing absolutely nothing.

Yes, this system needs a review, but the real system review has to do with making sure the province picks up for things that have nothing to do with property taxes, and until we do that, the system will be unalterably broken. What this new bill does is a little tinkering, to fix the fundamental problems they've caused. So by and large—

**Mr. Dunlop:** Are you going to vote for it or not?

**Mr. Marchese:** By and large, we support it, even though—

*Interruption.*

**The Deputy Speaker:** Member take his seat. I remind our guests in the galleries that the excitement is on the floor and we wish you would just quietly listen to it. Thank you.

1120

**Mr. Marchese:** My colleague will speak about some of the other measures here. I just wanted to put on the record for the good folks who are here supporting this

member and this party on this modest bill that it will give you a little modest help if we pass it through, but I tell you that unless we do the fundamental changes—that's where I'm going to see whether your friends here are going to be on our side when we talk about how the province needs to take on the uploading of those social costs that have nothing to do with property taxes.

**Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge):** I think the member for Trinity–Spadina got it right, in part, when he said there are some fundamental problems and those fundamental problems deal with the regressive nature of property tax when it has to support social programs. We got there over a long period of time, and we got there very fast over the eight years the former government was in office, by driving down those social programs on to the municipal property tax base. They're the ones that are really growing. That's where the pressure point is. It's not just assessment issues.

Speaking more specifically to the bill, the work we need to do on that front has only just begun. Certainly the fair sharing of ambulance that was committed to by the former government—they downloaded that, but never fulfilled that obligation. They allowed the municipalities to pick up a bigger and bigger share. We're moving it back up so that it will be a fairly shared program at 50-50. We're moving up the public health costs on to the province—

*Interjections.*

**The Deputy Speaker:** Order.

**Mr. Arthurs:** So we're acknowledging and recognizing the regressive nature of property tax and—

*Interjections.*

**The Deputy Speaker:** I remind the member from Huron–Bruce and the member for Simcoe North that we're listening to the speaker who has the floor.

**Mr. Arthurs:** Thank you, Mr. Speaker.

We can't reverse that trend in a matter of months, and frankly, even in a matter of a year or two. So we can't divorce the issue of the assessment from that fundamental issue of the regressive nature of property tax.

I find this specific piece of legislation very interesting. I think it could have been written by Mike Harris and I want to tell you why. If one looks closely at the legislation—I'm going to give you a couple of example, and if you have pencil and paper, you may want to keep a note of some numbers. These are rough.

Let's assume that the assessment on a property is \$200,000, for lack of a better number; it's a nice round number. Let's assume that for the next taxation year the assessment is going to go up 10%. That seems like a pretty good starting point. Let's assume the property owner puts \$25,000 into that property to put in a basement apartment, because this property owner is buying an investment property. It's not his or her principal residence.

With that \$200,000, if they're paying 1% of that in taxes—it's a nice round number; it's not accurate in every municipality by any means—they're paying \$2,000 in taxes right now. With a reassessed value, at 10%, and



the \$25,000 investment in the basement apartment, and with the cap in place, my calculations have that person saving—over what they would pay on the full assessed value, with the improvements, of \$245,000—some \$422.50 on their tax bill. Now, that's great for the landlord, but they're not just saving it once; they're saving it year after year. I don't think that's a fair system. I don't think it's a fair system to the vast majority of property owners in the province of Ontario.

Are there disparities in the system as a result of the growth of assessment on certain property classes? No doubt. Waterfront property in particular, as the member from Niagara indicated in his comments—sorry, I always want to get it right.

**Mr. Hudak:** Erie–Lincoln.

**Mr. Arthurs:** Erie–Lincoln. Waterfront property is taking a big hit on the assessment front.

One of the questions I'd be asking the mayor of Vaughan, since he was at the press conference this morning, is, if he has a 10% or 15% average assessment increase in property tax classes in his municipality, did he reset his tax base down by 10% to reflect that assessment growth? If he did, he's acting responsibly; if he didn't, he's gouging his taxpayers, because then he's marking that up another 5% and claiming that's his tax increase. So that's the first question that has to be asked: Is the municipality that has a 10% or 15% tax increase resetting so that that first 10% becomes net zero and that person who had the small tax increase or assessment actually gets a break? That's the first and most critical question that has to be asked.

I could probably go on for some considerable time. Unfortunately, in private members' public business, our time is limited and it needs to be shared around. This legislation, although well-intended to begin to address an issue, favours those who can acquire property, who can invest in property, and from the municipal standpoint in no way addresses a legislative framework that's very difficult—I'd be asking the question. It's very difficult to find how one deals with municipalities that aren't doing what they should do. What they should be doing is resetting their residential tax rate, making that clear in their tax bill and then applying whatever they need for additional service costs. That's a fair approach in the short term as we try to deal with this fundamental question of the regressive nature of property tax and the implications of having social programs on property tax, let alone trying to deal with the anomalies, in particular the anomalies around waterfront property and/or some anomalies in very large assessment increases in pockets of property in municipalities. But those things don't deal with the vast majority of people and the implications for them.

I thank you for your time and look forward to the balance of the debate this morning.

**Mr. Dunlop:** I'm very pleased this morning to speak to the member for Erie–Lincoln's private member's bill, the Homestead Act, 2006. It's legislation that I'm glad is being debated here today. If the members of the assembly

do not support this bill, then the government absolutely has to do something.

Throughout time, assessments have been a problem. We know that. I've been around politics for 25 years, and long before I was there, there were issues around assessment. As far as I know, when the Mike Harris government brought in the current value assessment, there were a number of areas where we had to make amendments—not a question. And you know what? We're making an amendment today, and I believe that long into the future, circumstances will come up where we'll have to make other amendments to the MPAC system, to the current value system. It's just a fact of life in a province the size of Ontario.

What bothers me today is how this has hit taxpayers across our province. This is at a time when they're seeing gasoline at 99 cents a litre this morning. I guess that's probably doubled since Dalton McGuinty came to office. We've now seen the Minister of Energy—well, it was a broken promise, but the Premier came up with—what?—a 16% increase in electricity rates. And now we've seen, with the property assessments, huge increases across our province.

The member from Uxbridge makes a good point about the tax rate. There's no question about that; that's an issue. But you have the power and the authority on that side of the House to correct that as well. You can do that.

I'm very concerned that we're driving people out of their homes. A lot of people think, because a lot of the issues here have been brought up by waterfront cottage property associations, that cottages are only for the rich. I can tell you that throughout the province there are literally thousands and thousands of lakes, and I'm going to zero in on lakes for just one moment. Most of them are not mansions. Most of them are not for very wealthy people. A lot of people who are fourth, fifth and sixth generation have passed down these places, these summer cottages and recreational homes, to their families for the future. They don't want to sell them. That's where they go to have their family time. I can tell you that in a riding like Simcoe North, I have about 500 kilometres of shoreline; most of it is lined with cottages. They're not all mansions. They're not all permanent residents; they're people who use them from May to October.

**1130**

I appreciate—the whip's giving me the eye right now; he wants me to sit down because there are four other speakers who want to make comments on this fantastic bill. I urge everybody in the House to support this bill today. I hope we can have a recorded vote on it.

**Mr. Michael Prue (Beaches–East York):** In the five minutes that I have, I've got so much to cover. I'd like to start by congratulating the member from Erie–Lincoln for this bill. New Democrats will be supporting the bill in spite of the fact that we do have some reservations. I'd like to deal with that in the body of my speech.

This bill, as my colleague from Trinity–Spadina has correctly stated, flows from a mistake made by the previous government. It flows from the fact that they put



all their eggs in the basket that market value assessment, CVA, was going to work for the benefit of all of the people of Ontario. Quite clearly, it has not.

It also flows from the misconception of that government that a great many things should be taken from the property tax, things which are not related to the ordinary workings of municipalities. It is well respected in law and in history in this country that municipal taxation was supposed to deal with things of a local nature. It was supposed to be for the roads. It was supposed to be for the sewers. In some cases, it was for rural schoolhouses when communities were isolated. It was supposed to be for things of that nature. It wasn't a tax; it was assessment. It was an assessment per household in order to accomplish common village and town goals. But I'll tell you, they took it a whole step further, and I'm going to get to that in the end.

Today I attended, at 10 o'clock, the press conference held by the member from Erie-Lincoln. The press had a number of very real questions, which I think are going to have to be answered during the life of this bill, should this bill be sent to committee. They questioned, and quite rightly so, that there is a lack of support from the Association of Municipalities of Ontario, who see that this may cause some difficulties for their member associations and for municipalities, because as you cap the money at the top that you're getting in, that will actually reduce the amount that is available to the municipalities unless you cap the bottom, unless you cap the decreases as well, and it is not revenue neutral. If the cap goes in at 5%, it will result in lower revenues for the municipalities. Or, in the alternative, then all taxpayers are going to have to pick up the difference. Therefore, those who have properties that escalate more than 5% will be subsidized by the rest of the taxpayers. That is an alternative that many people are going to look at very carefully and perhaps more than a few would not support. We need to look at not increasing the burden on taxpayers.

Notwithstanding that, I do believe the bill is timely. We all have residents. I have people in Beaches-East York and people who own cottage properties, and people come to see me from all over Ontario who are concerned about losing their homes. This is particularly from amongst those people who are retired, those on fixed incomes, those who are disabled and those who have low-paying jobs. We know that something needs to be done.

New Democrats believe that this is something that can work in the short term. We believe that the cap of 5% should be implemented, but we do not believe it is a long-term solution. It is something that should be done in the very near future and possibly only for couple of years until we come to more permanent solutions.

We believe that the transfer that maintains the caps in perpetuity as properties are handed down from generation to generation may be problematic as well. But in terms of what we are saying, a short term will not really result in this.

The home repairs is a good idea because so many home repairs that take place in this province are done

outside of municipalities actually knowing about them. Many people do these home repairs surreptitiously so that they don't have to claim it. We'd like it to be right out in the open and have it regulated. We would like to know that it is happening. To allow a certain amount of money to be exempt is a good idea.

Last but not least, we agree with the provision as it relates to seniors and the disabled.

Last fall, the New Democratic Party realized that this was a really huge issue out there when people started to get their assessments and when people were starting to talk. I remember asking questions of the finance minister on the day that we decided to do something and we were ridiculed. We were told that this was ridiculous and that the Liberal Party and the government had absolutely no intention of doing anything. We could have guessed that, because they had commissioned the now Minister of Immigration and Citizenship to do a report. That report has been hidden, it has never been released to the public, and if any members of the Liberal Party have seen it, they are the only ones. The minister promised to do something and has literally done nothing.

I tell you, we set up our own task force. It has some great members on it: Alex Cullen, a former member of this legislature, now a councillor in Ottawa; Ethel LaValley, the reeve of Lake St. Peter; Chris Charlton, who many know is now a member of Parliament in Hamilton; Tam Goossen, a former school board trustee of the Toronto board and Jeff Atkinson. We are holding meetings and have held meetings across Ontario, meetings in Toronto, meetings in Hamilton, Ottawa, London this Tuesday night, Peterborough and Thunder Bay in the future, possibly Sudbury, back to Toronto and Hamilton again. We would like to hear from ordinary people because the long-term solution is uploading the download. That's the long term solution. If you want to get in touch with us: [www.ouchassessment.org](http://www.ouchassessment.org).

**Mr. Kevin Daniel Flynn (Oakville):** It certainly is a pleasure to join the debate today on private members' business. Let me say from the outset that as a private member, I will be supporting this bill today. I do that for a number of reasons. If I had to characterize this bill, I guess I would say it's a well-written bill. Whoever the staff people were who worked on this bill did a good job. Now, the audacity in bringing it forward, however, is startling. It's still not going to prevent me from supporting it, however.

I've got a long and strong background of property tax reform. During the early 1990s and into the mid 1990s, I chaired both the Oakville and the Halton citizens' committee on property tax reform. What we did—a group of ordinary citizens, maybe some people even in the public gallery today—is that we took about a year and a half out of our lives and we sat down and we looked at property tax systems in Ontario. We advised the various levels of government and the various parties as to what should constitute a fair property tax system. What we came up with when we looked at CVA and when we looked at MVA was that it wasn't based at all on any ability to pay.



The great Canadian tradition of taxing based on your ability to pay: MVA does not have that; CVA does not have that either. It's not based in any way on the services you receive from the level of government. And it alters your consuming habits: It often puts seniors in a position where they have to sell their homes at a time when they're on a fixed income and the property values are escalating.

What we're saying, and what I'm saying today certainly, is that something needs to be done about it. Something needs to be done to correct the damage that was inflicted by the previous government on the taxpayers of this province. This is a very small step. It's a step that I'm supportive of. As I said, as a private member, I would like to see a lot more done, and I hope to see a lot more done in the future.

This certainly sets the tone, this certainly stimulates the debate, but I don't think anybody who is paying attention to this issue today should make any mistake as to where this property tax system came from—and that was from the previous government. Despite the advice of citizens' committees such as the one I chaired telling them all the things that were wrong on this, despite looking at various other taxation systems from around the world, the previous government, the Mike Harris government—some members present today in the Conservative Party at that time—decided that they were going to inflict this damage on the people of this province. That is wrong. That is simply wrong.

By supporting this bill today, it goes a short way and small way to making some corrections to a terrible damage that was done to Ontario taxpayers during the Mike Harris days.

**Mr. Norm Miller (Parry Sound–Muskoka):** It's my pleasure to rise today in support of Bill 75, the Homestead Act, brought forward by the member for Erie–Lincoln. It's about allowing people to stay in their homes, not be forced off because of skyrocketing assessment. Many people are retiring in Parry Sound–Muskoka and many are on fixed incomes. In the short three minutes I have to speak on this bill, I wanted to read some of the many letters I've received to illustrate how some constituents in Parry Sound–Muskoka are being affected.

**1140**

I'll read a letter from Gord and Robin Anderson:

"In 1987 we purchased our property on a small rural lake in Joly township for the sum of \$20,000. Being young and willing to work hard we set about building our dream home.... Unfortunately it has become apparent that the home we could afford to build, maintain and enjoy debt-free is slowly being forced from us due to property taxation. Our biggest household expense next to groceries is property taxes. It eclipses our hydro, heating, insurance and every other household expense.... The only service we have is road maintenance. There is no garbage pickup, no street lights, no municipal sewers or water. So why are we as residents paying over \$6,084.68 a year in taxes? This year we are looking at a tax bill that could be as high as \$9,500, due to yet another drastic increase in

our property assessment. Is this not an unfair tax burden? It in no way reflects our income or ability to pay. Ontario is becoming a province where only the rich can afford waterfront.... We are being forced out by government. Is there not a fairer tax system? Please consider addressing this problem. As citizens of Ontario, we shouldn't be forced out of our home because of rising taxes. We respectfully await your reply.

"Gord and Robin Anderson."

Another letter from Georgian Bay township:

"Dear Mr. Miller:

"I and my wife are retired permanent residents in Georgian Bay township....

"We just received our new assessment which has gone up 66%....

"We are not selling, have no prospect of income to cover this new assessment....

"Unless the Ontario government wants us pushed off our land, what are we to do?"

Another one from Huntsville:

"I live on 75-foot-wide lot on Mary Lake that I bought in 1968 for \$3,300. In 1972, I built a modest house on it (24 by 40) with plans of retiring there....

"This year many things have come up that has left me wondering how to survive without having to sell....

"My spouse has a part-time job and our total income for 2004 was \$37,723. My property tax for 2005 was \$3,378, almost 10% of total income, and with a 64% increase in the assessed value, who knows what it will be."

Tim Hudak's Homestead Act would provide stability, limiting assessment increases to 5% and allowing people to continue to afford to stay in their homes.

I will let the other PC members continue with this debate.

**Ms. Jennifer F. Mossop (Stoney Creek):** I'm pleased to rise to speak on this bill, which attempts to address a concern that many people have. I have a tremendous problem with the fact that people are potentially, and in reality, being driven out of their homes by higher tax rates, homes they've owned for a long time that they had the great foresight or the great fortune to have purchased in a lovely area. Because we have a red-hot real estate market, property assessments are going through the roof, and thus, in many cases, so are their taxes.

This brings us to an issue I keep raising. I think that if your property has gone up and you've got a good investment, that is a source for celebration. Then we need to talk to our local municipalities and say, "What about that tax rate?" Our government took the education tax rate, which is based on property value assessment, and mitigated it. We made it revenue-neutral so they wouldn't have this huge spike. That can be done everywhere with municipalities in this province.

But the fact of the matter—I'm sorry we have to keep going back to it—is that as 2007 and that next election come closer and closer, I keep hearing from members of the former government, "Yes, well, you're right. That amalgamation thing didn't really work out. Trust us. If



you elect us again, we'll fix it." And, "You know what? That MPAC thing—you're right. It didn't really work. It is a bit of a hash. But trust us. If you elect us, we'll fix it."

What's being proposed today is not much more than a Band-Aid at this point. I have a tremendous amount of difficulty with that whole concept. We have a thoughtful Ombudsman's report right now with 22 recommendations, which we are looking at. We, as a provincial government, are addressing the tax rate. We are also addressing some of the downloading issues. We are uploading public health costs. We are uploading land ambulance costs. We are moving in that direction to try to ease—with our Ontario municipal partnership fund, we have been mitigating some of the damage done by the social services downloading.

It was a tremendous disaster. It's not something you can unscramble overnight, but it is something we are working at incrementally, because it is unfair, it did not work, and we were left with such a mess that we're working at. There's a certain amount of gall in all this.

Also, the measures that are proposed today are a band-aid. It kind of works but it doesn't work. It's a bit like Whac-a-Mole, because if you whack it down here with a cap, it's going to pop up somewhere else, and that's just a reality. So somebody is going to get hurt anyway. I even have a letter here from the township of Wainfleet which says that they're not going to be supporting this private member's bill, the Homestead Act. They don't think it's the answer. It's not the answer. But I appreciate the fact that he is attempting to address an incredible mess that was made by the previous government.

**Mrs. Carol Mitchell (Huron—Bruce):** I can't tell you how pleased I am to rise and speak to this. I was head of a county that was not only forced into an amalgamation, but then survived downloading—one service after another till we were on our knees begging for mercy. And then the audacity of bringing forward a private member's bill to once again tinker with a system that is fundamentally flawed.

There are caps in place right now. Municipalities can already address those caps. The riding that I have the honour and privilege to represent has all these anomalies. I have a large lakeshore. I have increases that are not sustainable by my constituents, I can tell you. I have low-growth areas. I have agriculture; it is facing a crisis right now. I look at all of those things.

*Interjection.*

**Mrs. Mitchell:** Please don't say to me from the opposite side that this is grandstanding. I begged you to not force amalgamation. I begged you to not dump on our rural communities, communities that could not afford to sustain these services.

We as a government recognize that we have much work to do. I can tell you, when I hear from members across that we aren't doing anything—last week in the riding of Huron—Bruce we announced almost \$1 million in uploading ambulances. That's per annum. That's a \$300-million commitment that we put on the table. I'm only talking about one service.

I also want to talk about what taxation does and the deficit that we have, not only in the services we provide. I want to talk about the infrastructure deficit we face as well. So capping was in place. It's a tool that can be used by the municipalities today. But I can tell you, it's not the answer, it's not the long-term answer. It's about recognizing where the appropriate place is for those services and that infrastructure to be paid for. Once again, I see a recommendation coming forward to tinker, so that we can stand up and say, "We tinkered, we did this." But, I say to the people who are watching today, I was there, I saw it and the devastation that it caused in our rural communities. We will be a long time getting it turned around.

**Mr. Frank Klees (Oak Ridges):** I want to support my colleague on this bill. It makes a great deal of sense. It's timely, it's important.

It is unconscionable that residents of this province—seniors, people on fixed incomes, anyone—should have to lose their home or their cottage because of an assessment issue that, quite frankly, has unintended consequences. I believe that the member's proposal makes a great deal of sense.

As for some of the technical issues, I want to point out to members of this House that the capping that's being proposed—the homestead component of this bill—is not something new. There are jurisdictions where this is being done and has been done for a number of years; the state of Florida is just one of them. I suggest that rather than making excuses about why this couldn't work, we find out how to make it work. The objective here is to take a principle of assessment, ensure that it fits the requirements and the needs of our province where there are incredibly inflated prices going on in the real estate market. This is a practical way to deal with that.

I support this member and I look to this government, that has now been in government for two and a half years, to stop nickel and diming around this issue as the government that has the responsibility to in fact do something about this issue.

1150

**Mr. John Yakabuski (Renfrew—Nipissing—Pembroke):** It's a pleasure to rise in support of my colleague from Erie—Lincoln's Bill 75 today, the Homestead Act.

I want to thank Councillor Gerry Belisle from the township of South Algonquin for his input helping me with this issue, and also for having resolutions passed in that township with regard to Tim's act and current value assessment in general, and the workings of the Municipal Property Assessment Corp.

Today we've heard a lot of talk about the past, but we're dealing with the issue of today. Two and a half years ago, this government across the floor promised to deal with a system that we were all aware was not functioning properly any more, and the reason is—and my colleague articulated that—when this system was brought into place, no one anticipated the massive short-term serious assessment increases that properties were going to have in this province, which have changed the dynamics entirely with regard to the taxes paid by people and the assessment—



*Interjections.*

**The Deputy Speaker:** Order. Let's calm down. I can't hear the speaker. The member for Renfrew–Nipissing–Pembroke has the floor.

**Mr. Yakabuski:** Thank you, Mr. Speaker. It is our responsibility as legislators to recognize when something has to be amended or changed. We do it all the time in legislation. I commend my colleague for showing the courage and the initiative to bring forth this act because, after a year and a half of wringing their hands, hemming and hawing and tap dancing on this issue, they came back with nothing.

Shame on the former finance minister for shelving the report of his parliamentary assistant that was designed to do something about this very issue. I commend my colleague for doing something. We're not suggesting this is the be-all and end-all, but this is a courageous start on an important initiative to address a system that has to be addressed in the province of Ontario. He talked about somebody writing a letter to him that said, "Please do something." That was so important and so pertinent because this government has done nothing on this issue. Mr. Hudak is at least doing something. I'm not sure this is the exact answer, but I look at a lot of the components of the bill, and it goes a long way to satisfying many of the needs.

If this government, in legislation of its own, is prepared to do something that addresses this need, the need to correct this inequity in this province, then table legislation and bring it forward. They've put a 90-day extension on appeals, so they recognize that there's a problem.

Mr. Marin, the Ombudsman, produced a scathing 94-page report of a system that needs to be re-evaluated. For goodness' sake: To criticize Mr. Hudak for bringing forth a bill that acts on some of those issues and some of those recommendations when this government chooses to sit there and do nothing is, quite frankly, surprising.

As I said, I want to talk about how MPAC is working. In fact, if you get your property notice, it will say, "Property values as of January 1, 2005." Well, I have been given evidence to show that they've used property values going well into 2005 for determining assessments—not property, but sales, sales going well into 2005—when in fact right on their own letters it says we only use stuff to January 1, 2005. So there is a serious issue that the government needs to address.

This bill that will cap assessments on those properties and deal with the reality of exploding assessments in the 21st century is a very significant step, and I support Mr. Hudak's bill. If there are positive amendments that can be proposed at committee, I'm sure he's prepared to look at that, and we're all prepared to look at that too.

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I'm pleased to join the debate today on the Homestead Act introduced by my colleague and friend the member from Erie–Lincoln. He's introduced it because, as we've heard today, there is growing, widespread concern about property assessment in Ontario.

I can tell you that one of the first problems that came to my office when I was elected was about MPAC. It was about seasonal residents, trailer park owners, sugar bush, golf course owners, full-time residents, equestrian centres. They were all united in telling me there's a problem with MPAC.

Was MPAC bringing fairness to our property tax system? Does it need some changes? Yes, it does. Many members have said this. When I say it has been a problem for the two and a half years since I've been here, you've had lots of time to act over there as a government.

When you see the average residential property assessment go up 30% in Ontario—in Haliburton county alone, I think we had the highest increase in assessments in Ontario in the last assessment round. My riding of Haliburton–Victoria–Brock is blessed with many, many lakes, and certainly the waterfront owners are upset. As has been said here, there are people who have inherited cottage properties and made them their permanent homes. They are seniors on fixed incomes. To hear their stories of improper accumulation of data, the reverse onus on the landowner to say that it's wrong, the roads travelled trying to get that information to prove that it's wrong—I have letters from my constituents. They were shocked. It "does not seem fair. People who have worked hard, saved well, expect with good planning to enjoy retirement. Now that can all be erased by taxes." They talk about MPAC assessing them as being on fully operational roads when they are on seasonal roads. What are they left to do? Seniors are going to be forced out of their homes because they cannot pay the increase in the tax assessment. This is what's wrong.

I commend the member from Erie–Lincoln for bringing this to the forefront to try to fix this system that is obviously broken. I have had many municipalities come to me to say, "Please try to do something." Not all have endorsed the member for Erie–Lincoln's plan, but many have. North Kawartha has sent me endorsements of that plan. They have seen increases that are incredible. I know that in Peterborough county alone, MPAC received over 2,000 requests for reconsideration of their assessments. So people across the province, not just in my riding—seniors, people on fixed incomes, working families, disabled—have been affected.

The member from Erie–Lincoln has done a good job in suggesting some changes. Will it fix all the problems? I don't know, but the fact is that we're discussing it here today because we want to take it to committee and do the right thing for the people of Ontario and address the weaknesses in the system. My colleague from Erie–Lincoln has my full support on this bill.

**The Deputy Speaker:** The member for Erie–Lincoln, Mr. Hudak, has two minutes to respond.

**Mr. Hudak:** Thank you, Mr. Speaker. I thank my colleagues all for their remarks.

I want to take a little bit of time as well to thank John Clancy, my executive assistant, who is shortly moving into the real world and leaving this place. I thank him for all his extraordinary efforts in my office and on this bill,



and Nicole Goodman, who I'm blessed to have as a very hard-working intern. I know she enjoyed working for the member for Oakville as well last time around. She has worked incredibly hard on this legislation. I want to thank them, as well as my caucus colleagues, many of whom had a chance to speak today, for helping me develop this bill.

As well, with us in the assembly are various groups representing taxpayers across the province of Ontario, seniors' groups, taxpayers and homeowners who want to see a fundamental change in the way the assessment system works because they, like us, support the value of home ownership. They want to be able to maintain their homes and pass them on to the next generation.

We did receive 200 e-mails in the last two weeks alone, when it was announced that this bill was being accelerated in the assembly. We invited all those individuals to come here today, and over 50 of them came to join with us and also to host a press conference.

To the member for Beaches–East York, I appreciate all the work he has done on behalf of the NDP caucus. I thank him for his kind words as well. Of course, we are committed to the principle; I, as the introducer of this bill, am committed to the principle. I'm open to amendments to make this bill even better, Mr. Speaker, and I appreciate the suggestions from my colleagues.

I appreciate the comments from the member for Oakville as well, who indicated that as a member of the government side, he too will be voting in favour of this bill, and I know there are others.

My colleague from Oak Ridges said it very well. This legislation exists and works and has tremendous support in the state of Florida. There's similar legislation in California, Arizona, Michigan, Minnesota, Maryland, New Mexico, Oregon and Texas, and in the province of Nova Scotia. A substantial proportion of the population of North America has an act like the Homestead Act because taxpayers from coast to coast to coast realize that we need protections in place from skyrocketing property tax increases.

That's why I ask for all members' support to make this a reality and to support the Homestead Act today. Thank you, Mr. Speaker.

**The Deputy Speaker:** The time provided for private members' public business has expired.

#### HAMILTON DAY ACT, 2006

#### LOI DE 2006

#### SUR LE JOUR DE HAMILTON

**The Deputy Speaker (Mr. Bruce Crozier):** We will first deal with ballot item number 27, standing in the name of Mrs. Marsales. Mrs. Marsales has moved second reading of Bill 80, An Act to name the first Wednesday in October Hamilton Day. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. It's carried.

**Ms. Judy Marsales (Hamilton West):** I'm sorry, Mr. Speaker, we were standing to call for a vote.

**The Deputy Speaker:** You're just a little late.

**Ms. Marsales:** Can I refer this bill, then, to the standing committee on finance and economic affairs?

**The Deputy Speaker:** A request has been made to refer this bill to the standing committee on finance and economic affairs. Agreed? Agreed.

#### HOMESTEAD ACT, 2006

#### LOI DE 2006

#### SUR LE PATRIMOINE FAMILIAL

**The Deputy Speaker (Mr. Bruce Crozier):** We shall now deal with ballot item 28, standing in the name of Mr. Hudak. Mr. Hudak has moved second reading of Bill 75, An Act to amend the Assessment Act with respect to homesteads. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1201 to 1206.*

**The Deputy Speaker:** Mr. Hudak has moved second reading of Bill 75.

All those in favour, please stand and be recognized by the Clerk.

#### Ayes

Arnott, Ted  
Berardinetti, Lorenzo  
Brownell, Jim  
Dunlop, Garfield  
Flynn, Kevin Daniel  
Horwath, Andrea  
Hudak, Tim  
Jackson, Cameron  
Klees, Frank  
Kormos, Peter

Lalonde, Jean-Marc  
Leal, Jeff  
Levac, Dave  
MacLeod, Lisa  
Marchese, Rosario  
McMeekin, Ted  
Miller, Norm  
Ouellette, Jerry J.  
Parsons, Ernie  
Prue, Michael

Runciman, Robert W.  
Scott, Laurie  
Sterling, Norman W.  
Tascona, Joseph N.  
Van Bommel, Maria  
Wynne, Kathleen O.  
Yakubski, John  
Zimmer, David

**The Deputy Speaker:** All those opposed, please stand and be recognized by the Clerk.

#### Nays

Arthurs, Wayne  
Delaney, Bob  
Dhillon, Vic

Marsales, Judy  
Matthews, Deborah  
Mitchell, Carol

Mossop, Jennifer F.  
Qaadri, Shafiq  
Sandals, Liz

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 28; the nays are 9.

**The Deputy Speaker:** I declare the motion carried.

**Mr. Tim Hudak (Erie–Lincoln):** I move that the bill be referred to the standing committee on general government.

**The Deputy Speaker:** Shall the bill be referred to the standing committee on general government? Agreed.

All matters dealing with private members' public business having been completed, I do now leave the chair. The House will resume at 1:30 of the clock.

*The House recessed from 1208 to 1330.*



## MEMBERS' STATEMENTS

## HYDRO RATES

**Mr. Norm Miller (Parry Sound–Muskoka):** I have a statement regarding electricity prices. The people of the province are used to being nickel-and-dimed by this government, and, sadly, they are getting used to broken promises. But the hydro increases that the Premier is blindly defending are more than just nickel-and-diming; they are a body blow to our farmers, our small businesses, seniors and others living on low and fixed incomes, and families across the province.

You have been warned that your misguided energy policy would result in higher prices, and the chickens are now coming home to roost. Prices are skyrocketing in places like North Bay, while their member, who also promised to cap rates, sits idly by. North Bay residents will now pay \$229 per year more than they did in 2003. Did the member for Nipissing think about speaking out about the impact that massive price increases would have on her constituents?

The member told this Legislature on October 19, 2004, "When I was going door to door last fall, I spoke to a number of voters who were very concerned about the stranded debt of Ontario Hydro." I think that if the member goes door to door now, people are going to be delivering a very different message to her. They're going to talk about the broken promises of the McGuinty government, the promise not to increase hydro rates and the way they have not only broken it but shattered it, along with any shred of credibility they have left.

## TRANSIT FUNDING

**Mr. Mario G. Racco (Thornhill):** Population has skyrocketed in the 905 region. It only makes sense for the provincial government to expand the vital Spadina subway line northward to the Vaughan Corporate Centre in my riding of Thornhill. Not only will this ease the burden on the Yonge line, but it will finally make major steps to recognize the needs of commuters in the GTA.

This initiative makes economic sense, because it will improve the quality of life for the entire GTA. The subway extension will create nearly 500,000 jobs and provide a cleaner environment for all Ontarians.

While the province has remained committed to improving the lives of Ontarians, the question still remains whether the federal government will take the next step and continue the investment made by the provincial government. The province has put \$670 million in the bank to expand the subway. This money is earning interest. Ontarians want to know when the federal and local governments will match our funding.

Yes, it is good news that the province has begun to expand the subway into my riding of Thornhill, but Ontarians must expect more from their federal representatives. Now is the time to bring the subway into the

growing 905 region. I encourage my constituents of Thornhill and Concord, and all Ontarians, to lobby their federal representatives to ensure that public transit remains safe, reliable and affordable.

## HYDRO RATES

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** The residents of Niagara Falls live on the doorstep of a huge source of electricity that goes to homes and businesses throughout Ontario, yet they've been hit by double-digit price increases of \$14.86 per month.

Their anger at this government must be palpable, yet where is their government MPP? Has he been standing up for them? Is he taking the government to task for breaking their promise in such a cavalier way? No. They sit quietly on the backbenches defending the government, right or wrong.

Kim Craitor proudly told this Legislature in December 2003, just after his election, "Niagara Falls is also the centre of hydroelectricity generation for all of Ontario and a large part of the United States.

"I'm pleased to be part of the Liberal government that has taken a keen interest in hydro issues we are currently facing in Ontario."

He has been silent on hydro ever since that December. And look where that keen interest has got the residents of Niagara Falls. Will he be pointedly proud of his record on hydro when he leaves here to run for mayor of Niagara Falls? Because there's nothing to be proud of. I'll bet he never takes it into his campaign literature.

Upset constituents who want to let him know what they think can reach him at 905-357-0681.

## FIRST NATIONS INFRASTRUCTURE

**Mr. Gilles Bisson (Timmins–James Bay):** I rise today in the Legislature on a very sad note. Last night, yet another tragedy in the community of Kashechewan: A young girl by the name of Tammy, four years old, died as a result of a fire in a house where 21 people happen to live.

It's a story we see across the north and across many aboriginal communities in our province, something I'm sure we're not at all proud of. I think it points to the neglect we've had over the years in subsequent governments to deal with the issue of making sure that First Nations communities are properly serviced when it comes to infrastructure. In the case of Kashechewan, there's not even a fire truck, not a volunteer fire department, nothing to put out the fire. My heart goes out to the community—I'm sure with all members in this House—to see that this tragedy has happened.

But from this tragedy, let us try to take something positive back to our First Nations communities across Ontario. We are in desperate need across all these communities to provide emergency fire services. I have been working with Minister Kwinter and the chiefs and others from NAN and Mushkegowuk tribal council, along with



other communities in the James Bay and the north-western part of Ontario. I'm glad to see that Minister Kwinter has moved forward in responding to the tragic fire we had last January where two men died in a jail in Kashechewan. We're working towards repairing that infrastructure and making sure that doesn't repeat.

But the challenge continues: a young girl, Tammy, four years old, dead, yesterday. Why? Because we don't have basic services in those communities. On behalf of the community, I ask this, and this comes directly from the community and Chief Leo Friday: that we provide emergency fire services to all these communities so a tragedy like Tammy's death never happens again.

### GOREWAY DRIVE GENERATING STATION

**Mr. Kuldeep Kular (Bramalea–Gore–Malton–Springdale):** I am delighted to rise today to acknowledge the groundbreaking of Sithe Global Power's Goreway Drive Generating Station in my own riding of Bramalea–Gore–Malton–Springdale.

Upon its completion, the natural-gas-fired power plant will be capable of producing 875 megawatts of electricity, which is enough to power about 330,000 homes. In addition, the plant will help close all coal-fired generating stations in Ontario by 2009. With all the premature deaths and hospital admissions linked to coal emissions, the Sithe plant is a welcome addition, not only to Brampton but to all of Ontario. This plant will generate about 900 construction jobs and 30 full-time positions—not a bad feat for the third-largest city in Ontario and one of the fastest growing in all of Canada.

The Sithe plant will not only keep the lights on in Ontario, but will allow us to maintain a clean, stable supply of power while closing down our dirty coal-fired generating stations. Setting up a natural gas electricity generating station in my own riding further solidifies the McGuinty government's commitment to keeping Ontarians healthy.

### HYDRO RATES

**Mr. Ted Arnott (Waterloo–Wellington):** The hydro price increases announced yesterday that have shocked many constituents in Waterloo–Wellington and across the whole province have shocked me as well. Millions of families, farmers and small business people are being jolted with double-digit price increases.

According to today's press, the average Kitchener-Wilmot Hydro residential customer will see an increase of \$92 a year, the average Guelph customer an increase of \$121 a year, and in London it's a whopping increase of \$165 a year. According to the Canadian Federation of Independent Business, a typical small business in this province may see an annual increase of \$960 on their hydro bills. A quarter of CFIB members responding to a recent survey said their businesses are facing significant harm because of the rising cost of electricity, such that some may have to close their doors.

What makes yesterday's announcement all the more reprehensible is that this is yet another broken promise by the McGuinty Liberal government, which surely means government members will be ashamed of their party again today. They are going to receive some interesting feedback from their constituents this weekend. Next week, I'm sure this legislature will hear from the government members, doing their jobs as local representatives, voicing their constituents' concerns, even if it upsets a few people in the Premier's office.

### 1340

Let's hear from the members for London–Fanshawe, London North Centre and London West. Let's hear it from Kitchener Centre, Guelph–Wellington and Perth–Middlesex—not the all-too-familiar refrain about how great the government is, but what they are actually hearing in the constituencies about this latest broken promise. Let them bring those concerns into this Legislature.

### BOB HUNTER MEMORIAL PARK

**Mr. Tony C. Wong (Markham):** Last week I was very pleased to announce that the McGuinty government provided \$100,000 in support of the Bob Hunter Memorial Park, funded through the Ministry of Municipal Affairs and Housing. This one-time grant will help the Rouge Park Alliance to coordinate a park management plan. Gord Weeden, chair of the Rouge Park Alliance, said, "This investment towards park management and ecological restoration demonstrates, once again, the McGuinty government's commitment to protecting Rouge Park's and Ontario's reservoir of biodiversity."

Created in honour of the late Bob Hunter, the Bob Hunter Memorial Park serves as a reminder of his determination and dedication to the Rouge Valley forest and surrounding greenbelt. As Bobbi Hunter, wife of the late Bob Hunter said, "Bob spent his life dedicated to the care and preservation of the planet. That a portion of this earth will bear his name and that future generations will be able to enjoy and explore the natural heritage is the greatest honour we could give."

The McGuinty government's commitment to the greenbelt plan is based on our belief that a healthy natural environment and strong economy go hand in hand, and the creation of the park works towards realizing that commitment. I encourage Markham residents and all Ontarians to visit the park and enjoy the good things our natural heritage has to offer.

### TORONTO 101

**Mr. John Wilkinson (Perth–Middlesex):** Tuesday, March 21, was the inaugural Toronto 101, co-hosted by myself and the members for Don Valley West and Huron–Bruce. Toronto 101 allowed farmers to experience a taste of the daily challenges faced in Ontario's diverse capital city.

We were welcomed by the Minister of Economic Development and Trade and the member for Willowdale



at the Miller Tavern, where we learned about the agricultural past of York Mills. We visited the Leaside business park, where we toured Lincoln Electric's facility and learned about the pressures facing industry in this city. As well, we toured a wonderful new provincial resource, Bloorview Kids Rehab.

We also visited Overland Adult Education Learning Centre and Grenoble Public School, allowing farmers to meet with people newly arrived from across the world, many of whom have never visited a farm. A trip to the Flemington Food Bank introduced us to the stark reality that hunger exists in urban communities. We also visited a catering co-op, Common Ground, run and operated by disabled adults, which provides rewarding, meaningful work.

My farmers called the event a real eye-opener for all involved. With events like Toronto 101, we're helping bridge the rural and urban divide, and I want to thank the member for Don Valley West and my farmers for coming out to this event. Though the city and the country seem quite far apart some days, when we take the time to listen and to share, we learn that there is so much more that we have in common.

#### EASTER AND PASSOVER

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I rise on behalf of the House today to bring Easter and Passover greetings, not only to my constituents in the riding of Scarborough Southwest but to all the people of Ontario. These two holidays are of great importance to those of both the Jewish and Christian faiths. These two holidays are prime examples of the richness in diversity that exists in modern Ontario.

For those of the Jewish faith, Passover represents the exodus and freedom of Israelites from ancient Egypt. It is to them a symbol of the new-found freedom from slavery and the ability to practise their faith as they saw fit. At this time, families will be sitting down for the traditional Seder meal, a symbolic collection of foods meant to represent the trials of the Jewish people and the rebirth of their new land.

Easter is one of the most important celebrations in the Christian calendar. It is celebrated by most Christians throughout the world and is seen as a time to reflect on the life of Christ. It is celebrated in many different forms, from church services or family dinners down to annual Easter egg hunts.

Today also marks the beginning of the Thai and Laotian new year, as well as Baisakhi in the Sikh faith. Through these traditions, today marks a new beginning in every sense. It is a time to mark not only the birth of the Jewish nation or the rebirth of Christ, but for some, the start of the new year, and for all, the arrival of spring. The days are getting longer, the evenings warmer, and the grass is getting greener. It is an ideal time to witness the awesome beauty of our province.

I would like to send my best wishes to all members of this House and their families, hoping they have a happy and safe long weekend.

#### VISITORS

**Mrs. Maria Van Bommel (Lambton-Kent-Middlesex):** On a point of order, Mr. Speaker: I would like to have the House join me in welcoming the parents of page Jenna Zwambag, Anja and Gerald, and her brothers Derek and Brandon. They have come all the way from Glencoe to see their daughter and their sister at work.

#### INTRODUCTION OF BILLS

##### TRANSPARENT DRUG SYSTEM FOR PATIENTS ACT, 2006

##### LOI DE 2006 SUR UN RÉGIME DE MÉDICAMENTS TRANSPARENT POUR LES PATIENTS

Mr. Smitherman moved first reading of the following bill:

Bill 102, An Act to amend the Drug Interchangeability and Dispensing Fee Act and the Ontario Drug Benefit Act / Projet de loi 102, Loi modifiant la Loi sur l'interchangeabilité des médicaments et les honoraires de préparation et la Loi sur le régime de médicaments de l'Ontario.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

Would the minister like to make a brief statement?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** During ministerial statements, Mr. Speaker.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### DRUG SYSTEM REFORM

**Hon. George Smitherman (Minister of Health and Long-Term Care):** Today I have the privilege of introducing a piece of legislation that will improve patient access to drugs and will launch a major reform of our province's drug system. I am referring to the Transparent Drug System for Patients Act.

This bill is the cornerstone of our government's comprehensive plan to reform Ontario's drug system, to transform it into something more efficient, more transparent and more accountable, to change it into a system that patients can understand and can trust.

The case for change is strong. The sad reality is that our drug system has been failing us. That's strong language, but it's true. Our drug system hasn't been serving patients as well as it should, it hasn't been serving taxpayers, and it hasn't been serving the professionals who work within it each and every day.



Equally troubling, the escalating costs of our drug system are threatening its very sustainability.

Our government has been very clear in expressing its support for our public health care system, and we've demonstrated our willingness to make bold changes in order to protect and to strengthen medicare. The reforms we're introducing today are one more part of this effort.

Let me be very clear right at the outset about one important point: With respect to coverage for Ontario drug program recipients, there will be no changes—not to copayments, not to deductibles, not to eligibility. If you are a patient who currently receives prescription drugs through ODB, Trillium, or the Ministry of Community and Social Services, you will continue to receive those drugs, period.

Our reforms are designed to give patients better access to drugs, and better access to drugs also means getting better value for taxpayers' money.

The people of Ontario—the people we in this Legislature represent—spend a staggering \$3.4 billion annually on the Ontario drug benefit program. Standard business practice dictates that volumes are rewarded, that the biggest customer gets the best price, but for some reason that hasn't been the case here in Ontario. That is about to change.

Improving patient access also means getting drugs to them faster and more efficiently. We need to make the drug review system more efficient and more transparent. That too is a key part of our plan.

**1350**

The legislation I am introducing today, the Transparent Drug System for Patients Act, will, if passed, do the following:

- It will improve patient access to drugs through conditional listings and measures like rapid review of breakthrough drugs.

- It will ensure better value for money through changes to drug pricing and reimbursement.

- It will introduce competitive pricing and partnership agreements, allowing us to strike the best possible deals when purchasing drugs. And let me make one point very clearly: No, this is not reference-based pricing. This is about finally having a forum in a transparent process to negotiate a better price—a better price for the people of this province.

Our package of changes will also close loopholes that lead to unacceptable price increases for drugs. Our plan will introduce off-formulary interchangeability. That means that cheaper but equally effective generic drugs can be used in place of brand names. This isn't just good news for patients who need drugs; it's good news for those who pay for those drugs. Out-of-pocket purchasers and employers in the province will save an estimated \$30 million on their drug plans. And, of course, we will always respect and adhere to Canadian patent law.

Our package of reforms will also put an end to the practice of pharmacies cutting deals with generic manufacturers for backdoor rebates in exchange for shelf space. These rebates fuel increased prices, and those

markups are paid for with taxpayer dollars. Taxpayers are not well served by this rebate scheme, and we're going to put an end to it.

The changes we're introducing will give the people of Ontario better access to drugs and do it more quickly. Drugs will be approved more quickly. We will permit rapid funding decisions for breakthrough drugs for life-threatening conditions. We will work with the sector and the health care community on the definition of "breakthrough drugs," and if a drug is not approved, we'll tell patients and manufacturers why, quickly and honestly. This will be an enormous benefit to patients and to Ontario's drug manufacturers anxious to introduce new products to the marketplace.

The legislation I am introducing today would also promote the appropriate use of medications by paying pharmacists for providing direct patient care. Pharmacists have been telling us for years that they want to play a bigger role in our public health care system. We agree. They're an underutilized resource, especially for patients managing chronic diseases. The changes we're introducing will allow pharmacists to use their skills and expertise to unlock better health, and we will compensate them fairly for it.

Our plan calls for us to invest in health care research by establishing a fund to help pharmaceutical companies make the case that certain drugs help to save on overall health costs. This fund will include contributions from pharmaceutical companies and from the provincial government.

Let me assure everyone that we are profoundly sensitive to the importance of research and innovation in the pharmaceutical sector. I know that advances—inno-vations—in pharmaceutical products can mean renewed life for Ontarians. I've seen innovative drugs extend and enhance the lives of loved ones challenged by HIV, and I often think that the drugs available to us today may well have prevented my father's untimely death from a stroke 14 years ago. This innovation must continue. It's essential for our province and for our people. The money that our pharmaceutical firms spend on research and innovation is money well spent, and they will be fairly compensated for the innovative drugs they bring to market.

Reforms are also needed with respect to transparency and accountability. We will strengthen transparency and accountability in the drug system by giving patients a role in drug listing decisions, and we will help to build a more accountable system through the creation of a citizens' council, making Ontario the first province in Canada to permit direct patient involvement in both decision-making and policy direction, and I'm very proud of that.

To further enhance accountability, we will also create a new position of executive officer of the Ontario public drug programs, to manage the publicly funded drug system and make listing decisions.

I've said on several occasions now that this is a balanced package, and I mean it. Our doctors will also



benefit. We will free Ontario's doctors from the crushing burden of paperwork associated with section 8s. We believe that doctors should be spending their time on patient care, not on paperwork. Section 8 would be replaced by a much more effective conditional listing system, supported by an exceptional access mechanism for very exceptional cases. These mechanisms will be placed in the hands of the executive officer—a much leaner decision-making structure.

Yes, this is an extremely balanced package. We understand that there are a lot of players in the drug marketplace: doctors, drug manufacturers, pharmacists, retailers and patients. Many of them are represented here today, and I say to all of them—to you: Our package is sensitive to each of your needs.

My staff and I had an opportunity to brief stakeholders on these changes earlier today, and I know that as they look at our package of reforms, each of them will see many elements that they, themselves, proposed during the Drug System Secretariat review process. Our package aims to strike a fair and equitable balance, and I believe it succeeds.

Let me emphasize how important it is that the reforms we're introducing today do succeed. Drug costs have risen by more than 140% since 1997, and it's not just government feeling the heat. Employers in the province who use the government's drug formulary as a guide to determine what drugs they will pay for have also been experiencing dramatic increases. They now spend \$2.6 billion a year. We need better drug pricing. We need a more efficient and accountable drug system, and our balanced and comprehensive package of changes, anchored on the Transparent Drug System for Patients Act, will enable us to achieve just that.

I'm very proud of the bill that I'm tabling today, and I look forward to the upcoming debates, both in this chamber and across our province. I cannot help but note that the two opposition parties both face something of a dilemma. The Leader of the Opposition is trapped between his instinct to try to be all things to all people and his bizarre promise to somehow improve health care by taking \$2.6 billion out of the system. He prattles on about efficiency. We're actually doing it without the harmful cuts his party is famous for. This debate will force him to show his true colours. And the third party still marches onward with no regard for the economic reality that we simply cannot afford to pay for each and every drug for every patient.

I'm proud of this bill and I'm proud of the team that helped us develop the package of changes, particularly Helen Stevenson and Brent Fraser. The people of Ontario will be well served by this bill. They deserve a more efficient, more transparent and more accountable drug system, a system they can understand and trust. The legislation that I'm tabling today will make that a reality.

#### YOUTH INTERVENTION CENTRES

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** Our government has a

vision of hope and opportunity for all of Ontario's children and youth. We believe in them. At the same time, our government recognizes that in order to build strong communities, we need to be tough on those who commit crimes, but we also need to be tenacious when it comes to giving our youth every opportunity to choose a better path and indeed excel, even in the face of adversity.

That's why I am pleased to announce today that our government is helping youth in conflict with the law get their lives back on track by establishing 12 new youth intervention centres. These new centres are part of an innovative and comprehensive approach to help young people aged 12 to 17 who are in conflict with the law to accept responsibility for their actions while helping them become contributing members of their communities.

At the centres, young people participate in programs appropriate to their assessed needs, such as anger management, anti-violence programs, life skills, counselling, peer relationships and employment readiness. We already have centres in Barrie, Brampton, Brantford, Mississauga, North Bay, Oshawa, Ottawa, Peterborough, St. Catharines, Sarnia, Scarborough, Sudbury, Thunder Bay, downtown Toronto and Windsor.

This year, we are establishing youth intervention centres in Belleville, Chatham, Cornwall, Hamilton, Lindsay, London, Milton, Moose Factory, New Liskeard, Orillia, Richmond Hill and Sault Ste. Marie.

In evaluating some of the existing youth intervention centres that we fund, we have found that youth participating in the programs were more likely to get a job, continue their education, set goals, deal better with anger and stay out of trouble.

#### 1400

Making communities safer and reducing criminal activities also means tackling the root causes of crime through preventive and remedial programs that directly help youth in their neighbourhoods. That is why the new youth intervention centres are part of our government's annual \$22-million investment to provide community alternatives to custody programs for youth in conflict with the law. This year, our government is providing \$9.5 million, up from \$7.5 million last year, to establish and support 27 youth intervention centres across the province and \$12.5 million to support other community programs for young people in trouble with the law.

In February, I announced that our government is providing \$28.5 million in the first three years of a new youth opportunities strategy to expand employment and training programs and to support the hiring of new outreach workers in at-risk communities across the province. It is a strategy that focuses on providing youth with increased opportunities so they can achieve their potential. We know that youth are more likely to do well if they are given the support they need. The youth opportunities strategy will first be implemented in underserved communities in Toronto and then expanded to communities across the province, including Windsor, Ottawa, London, Hamilton and Thunder Bay.



Our government has confidence in our youth. We will continue to listen to them, and we will continue to do all that we can to help them be successful, contributing members of society. In so doing, we can help to ensure a brighter future for our young people, their communities and our province.

**The Speaker (Hon. Michael A. Brown):** Response?

#### DRUG SYSTEM REFORM

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** I'm very pleased to have this opportunity to respond to the statement by the Minister of Health. I think what we see before us is a large, very technical piece of legislation that obviously is going to have an enormous impact on the general public, the industry, patients and service providers. However, at this point in time, it remains to be seen as to whether or not it actually will improve any access to drugs for patients in this province or even if the government is able to deliver and implement what they have here. We've seen that they can't successfully implement the establishment of 150 family health teams. They have not been able to put in place 8,000 new nurses in the province of Ontario. So their ability to implement what we have before us is certainly in some doubt. They are breaking every promise that they have made. They are asking people in this province to pay \$2.6 billion more in health taxes, and we know that people are paying more and they are getting less. So we are skeptical about the ability to improve access to drugs, the ability to ensure that patients get the right drug and the right care at the right time.

We are also very concerned about the economic impact of this legislation that is in front of us at a time when business is already reeling from high hydro rate increases, rising gas prices and rising tax increases in this province. It's already becoming an environment that is not conducive to job creation and investment.

We're skeptical about the ability to get value for money. Is the government prepared to guarantee, as the government gets lower prices for some drugs, that others will not go up?

Let me come back to innovation and investment. We are very skeptical about the fact that this is going to improve innovation in this province. It's not going to attract innovation. Now, the Premier has recently said that innovation is Ontario's natural resource. In fact, he recently went to Chicago to attract more pharmaceutical and biotechnology firms. However, it seems that trip was nothing more than window dressing when you take a look at this bill, which does absolutely nothing to attract innovative industry. In fact, we fear it may even have a reverse effect. It may indeed encourage and lead to some companies taking their research and development elsewhere. It could possibly lead to job losses in this province. We all know that in the recent budget, despite the fact that the Premier says innovation is Ontario's natural resource, the innovation and research budget was actually cut by 7%. So there is a lot of reason to be very, very skeptical.

If you take a look at this piece of legislation, I think you have to recognize that with the global nature of the pharmaceutical industry today and the fact that Ontario is only a small player, there is a possibility that in the future, as a result of this legislation, there is not even going to be negotiation by the industry to bring a product into Ontario, or maybe they will simply come in here later than they will everywhere else. That is certainly going to reduce access for patients in this province. Again, this does nothing for innovation, this does nothing for investment and this does nothing to guarantee that patients in this province actually will have increased and more timely access to drugs.

As far as transparency is concerned, I can tell you that this is seeing the creation of a drug czar who is going to reign over a \$3.5-billion empire. We are going to have an unelected, unaccountable appointee who is going to have sweeping powers to manage the drug system in Ontario. That is another \$3.5 billion added to the tally of money for which there is no taxpayer accountability. We already have LHINs—unelected, unaccountable individuals—looking after about \$25 billion of all the money spent in the health budget in this province. I say that despite what the minister says about transparency and accountability, this money is being transferred to unaccountable, unelected officials. There is no transparency and no accountability in this bill. It's absolutely—

**The Speaker (Hon. Michael A. Brown):** Thank you. Responses?

**Mr. Peter Tabuns (Toronto–Danforth):** I'm pleased to respond to the Minister of Health today. New Democrats are committed to a comprehensive system of public health care in this province. We know that Ontario needs to rein in its skyrocketing drug costs and get tough on those who are gouging the system—those who aim to make a profit rather than improve patients' health—and we know that Ontario patients deserve an independent, truly transparent process for drug reviews so they can be assured of access to the drugs they need when they need them. New Democrats will be fighting to make sure patients' voices and public health care come first in assessing this process.

Today's announcement raises a number of red flags. The Liberals want to replace an opaque, unfair process for drug reviews, but their new model involves Liberal appointees and drug companies working in partnerships to make key decisions about drug policy in this province. These "partnership agreements" and competitive agreements could mean more privatization and commercialization of our public health care system, and patients like those with Fabry disease, who are waiting for enzyme replacement therapy, or those with cancer, who are waiting for Velcade or Avastin, have no way of knowing whether or not today's announcement is going to benefit them, because the system is still opaque, complex and confusing for the average Ontarian.

The devil will be in the details, but when the Minister of Health held his press conference this morning before he introduced the legislation to this House, he gave few details. His backgrounder is full of areas in which "more



consultation is needed," and \$67 million in proposed savings from the federal government haven't even been negotiated yet.

The legislation introduced here today reflects just a fraction of the proposed changes to Ontario's drug program; it's just the tip of the iceberg. The vast majority of drug system changes proposed here are going to be made by regulation and policy, away from public scrutiny, debate and engagement. I can assure you that New Democrats are taking these changes very seriously and will be scrutinizing them very closely.

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### YOUTH INTERVENTION CENTRES

**Ms. Andrea Horwath (Hamilton East):** In response to the Minister of Children and Youth Services, I thought it was important to bring to the minister's attention yet another youth facility. Kennedy House in Ajax is a maximum security facility for young offenders convicted of serious crimes, such as armed robbery, murder, sexual assault, drug and weapons offences, home invasions and escapes from custody. The staff are organized by a union called OPSEU, a union we all know well, and that staff is on strike right now. Why are they on strike? They are on strike because they make about \$10,000 a year less than workers at other young offender facilities that are funded by the Ministry of Children and Youth Services. Unfortunately, they are also forced to work under substandard security measures. They put their lives on the line every single day in this facility. They deserve a fair wage and they deserve protection from danger at their workplace.

While these hard-working and specially skilled OPSEU employees are on strike, residents have been moved to an alternative facility, yet Kennedy House continues to receive full government funding. It's a scandal. The corporation stands to pocket a lot of money, refusing to negotiate fair wages and safe working conditions for their staff. They will be making money on the backs of underpaid and vulnerable workers. We are calling on you to stop the funding to Kennedy House Youth Services until a fair deal has been negotiated and staff and residents are back on site in an environment that is safe, secure and successful.

Workers wrote to the minister today asking for you, Minister, to do what is best for the youth. If the government really wants to help youth and turn lives around, end the strike and invest in the workers needed to help those youth.

What else would we like to see as New Democrats? You should know it well by now: We would like to see the Ombudsman have oversight over children's aid societies. Just pass Bill 88, which I introduced in this House. We would like to see the McGuinty Liberals stop increasing tuition fees. Help give these students a chance, instead of huge debts for a post-secondary education. We want to see families being able to raise their children with a decent standard of living. What does that mean? It means end the clawback of the national child benefit. It

also means more affordable housing, because everybody knows that a decent roof over your head and the ability to have decent food on your table is what creates the rest of your life. Until you solve those problems, children and youth are not going to have a fair chance in Ontario.

### VISITORS

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** Mr. Speaker, on a point of order: I would like to express to the House how honoured I have been to have a constituent of mine be one of our legislative pages, Raelynne Knight from Timiskaming Shores, and to say that in the members' gallery are her parents, Louise and Ken Knight, from the fair city of Timiskaming Shores, who are visiting us here. I welcome them to the Legislature.

**Mr. Kevin Daniel Flynn (Oakville):** Mr. Speaker, on another point of order: I would like to draw the members' attention to the east gallery again and to the major contributor to the Oakville and Ontario economies, the president of Ford Canada, Mr. Bill Osborne, accompanied by Mike Sheridan and Carolyn Hughes.

### ORAL QUESTIONS

#### HYDRO RATES

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** My question is for the Premier. In the 2003 election campaign, you promised to keep hydro rates capped. However, the reality is that you have jacked up hydro rates by as much as 55%, thus clearly breaking yet another of your election promises. Why should Ontarians believe anything you tell them anymore?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I appreciate the opportunity to speak to our energy policy once again, which I think is responsible and progressive. We're ensuring that our generation of electricity users pays for the actual cost of producing our electricity. We think that's only fair.

In the past, we've had a different policy in Ontario, and that now manifests itself in our monthly hydro bills, where there is something called the DRC, the debt retirement charge, which means all Ontario ratepayers today are paying for electricity charges that were not fully paid in years past. But more than just that, not only are we paying for unpaid electricity charges that should have been paid in the past, we're paying interest on that.

We are bringing a different approach. We think our generation should pay for our electricity as we use it. I think that's fair to us, to our kids and to our grandkids.

**Mr. Yakabuski:** Premier, your broken promises on hydro rates and on the coal plant shutdowns are just some examples of your broken and mismanaged energy policy. Besides some windmills that are operating around 10% capacity, the truth is that you have no real plan for



electricity in Ontario. You still want to shut down almost 25% of the province's cheapest supply and replace it with unreliable and expensive power within an unrealistic timetable.

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Stop the clock. The rules are the same today as they were on Monday, Tuesday and Wednesday: We have one person ask a question and one person respond; everyone else remains silent. Supplementary.

**Mr. Yakabuski:** But there are victims here, Premier. The victims of your broken promises and your lack of any real plan are the hard-working people of Ontario. A 55% increase for hydro is quite different from what you promised Ontarians in the last election. Why are you consistently refusing to be straight with Ontarians? Why are Ontarians being forced to pick up the tab for your total incompetence on this file?

**Hon. Mr. McGuinty:** I always appreciate the energy and passion which the members opposite put into their questions, but it doesn't really add to the credibility of the presentation.

Let me tell you what we're talking about here. We have in fact the most aggressive energy development program in all of North America. We have, so far, brought close to 3,000 megawatts of new supply online. We have another 11,000 megawatts of supply in the works, and I'm proud to say that 20% of that is devoted to renewables.

Just so we better understand what we inherited, during the last decade of neglect, demand rose by 8.5% while capacity dropped by 6.5%. So we've been working as quickly as we can to put in place the necessary electricity generation so that we can keep the lights on in Ontario, and we're doing that in a thoughtful and responsible fashion.

**Mr. Yakabuski:** Premier, the bottom line here is that Ontarians know you cannot be trusted to competently manage the electricity system of this province. You promised you would cap electricity rates, and you broke that promise as soon as you were elected. You promised to close the coal plants by 2007, and you've broken that promise, which was an irresponsible one to begin with. You promised to take the politics out of the energy sector, and you have broken that promise as well.

Your plan now, or lack thereof, seems to be to replace almost 25% of this province's supply with unaffordable and unreliable power. It's no wonder that prices are skyrocketing under your watch. When are you going to start being honest about electricity in Ontario? When are you going to have a responsible plan for electricity and not a political one?

**Hon. Mr. McGuinty:** I think somewhere in that question we are beginning to get closer to the truth. The member opposite believes that we should continue to burn coal at the beginning of the 21st century, here in a modern, progressive jurisdiction, part of North America. That's their position. They think we should continue to burn coal that was attacked by Charles Dickens 200 years ago. I think we can do a little bit better than that.

We have a progressive plan—it is a responsible plan—to replace coal-fired generation with new, cleaner sources of electricity. The member opposite does not believe we should harness wind power; we believe we should do that. The member opposite believes we should not harness energy from the sun; we believe we should do that. The member opposite believes we should not practise conservation in Ontario; we believe we should do that. We're putting together a modern, progressive, responsible, comprehensive electricity policy. That involves all of us paying for the actual cost of electricity, and we'll be doing more—

**The Speaker:** Thank you. New question.

**Mr. Yakabuski:** My next question is also for the Premier. We certainly agree with harnessing those sources, but they have to be affordable and reliable, and, primarily, we have to be realistic.

The Windsor Star recently quoted Adam White of the Association of Major Power Consumers commenting on your plan or lack thereof. He said of your plan, "Ontarians will pay more and get less; electricity rates will soar, economic growth will decline and investment will be lost."

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The Windsor Star itself, when discussing your electricity plan, was quoted as saying, "McGuinty's energy plan will cost electricity consumers more money, do little for the environment while severely damaging the economy and create a climate of protracted uncertainty that will scare off investors and lead to devastating job losses." We agree with the Windsor Star, except for the part about you having a plan.

Premier, when will you finally be honest with Ontarians and explain that you have made too many ill-conceived election promises on the electricity file and that your own government's incompetence has made Ontarians, again, pay more and get less?

**Hon. Mr. McGuinty:** It's pretty obvious that the member opposite is not a particular fan of our plan, and it's no particular secret that there are others as well. But we are charged with the very important responsibility of keeping the lights on in Ontario, and we will discharge that responsibility, I can assure you.

One of the good pieces of news of late has to do with the programs being launched by Minister of Energy Cansfield under the title of Every Kilowatt Counts. That's a campaign to encourage conservation and energy efficiency. Just recently, she announced a program which deals with a \$500 rebate with a purchase of an Energy Star-rated central air conditioning unit, a \$50 rebate for a tune-up of an existing air conditioner and a \$75 rebate for the installation of a programmable thermostat.

The member opposite would have us believe that in the face of rising electricity prices throughout North America, we are helpless. I think there is much we can do, there is much that we can do together, and we will be helping Ontarians.

**Mr. Yakabuski:** Premier, you have raised hydro rates three times since coming to office. Since the election of



2003, you've raised the hydro rates of Ontarians by as much as 55%. Instead of apologizing for your broken promises and total lack of a realistic plan, you're engaging in a spin that reeks of desperation.

This is about your broken promises, no matter how irresponsible they were in the first place, and total mismanagement of our electricity system. This is an issue of integrity and competence. You have failed on supply. You have failed on conservation. You have failed on pricing, and you've failed to be honest with Ontarians about the promises you made and the price that they are now forced to pay as a result.

Premier, how can you justify asking Ontarians to pay more and more for electricity when they are getting less and less in return? You expect them to use less power by having them pay 55% more for power. Is that your plan, Premier? Is that your plan?

**Hon. Mr. McGuinty:** Such doom and gloom coming from the member opposite. Again, just to help him better understand the context here, in Massachusetts they've raised electricity prices, this year, 32%; Louisiana, 27.5%; Maryland varies from 35% to 72%; New Hampshire, 29%; New York, 30%; Texas, 21%; New Jersey, 14%. In Alberta, electricity prices have gone up 23%.

Just last month, Ontario once again led the way with over 30,000 new jobs in our province. That speaks to the optimism and the bright outlook that Ontarians have for their very own province. I invite the member to share in the enthusiasm that Ontarians have for Ontario.

**Mr. Yakabuski:** Premier, your plan, if there is one, is apparently to make Ontarians pay 55% more for power—

*Interjections.*

**The Speaker:** Stop the clock. Order.

*Interjections.*

**The Speaker:** The Minister of Economic Development and Trade will come to order. Final supplementary.

**Mr. Yakabuski:** —while simultaneously eliminating our cheapest and most reliable source of power, without having any comparably priced power to replace it. You keep talking about the real price of power. You continue to push a message that Ontarians need to start paying the real price of power, but your plan does anything but deliver on the real price of power. Premier, the real cost of power is truly not real if you are irresponsibly shutting down our cheapest form of electricity generation before having adequate supply to replace it. Adequate supply sources are ones that actually perform at capacity, not 10%. Adequate supply sources should not cost 15 times more than what you're shutting down.

Premier, you wouldn't know the real cost of power if it landed in your lap. Your plan has nothing to do with the real cost of power. When will you start admitting that to families now paying 55% more for power in McGuinty's Ontario?

**Hon. Mr. McGuinty:** Again, I appreciate the energy devoted to the question, but the question I have is, when did they take "progressive" out of the Ontario Progressive Conservative Party? Because the member is

arguing for the maintenance, I guess indefinitely into the future, of coal-fired generation in Ontario.

We bring a different approach. We think that we can both walk and chew gum at the same time. We think that we can have clean air and reliable sources of clean electricity at the same time in the province of Ontario. They see things differently, Speaker.

We've got a progressive pricing policy in place; we're actually going to pay for the real cost of our electricity. We're not going to download that on to our children or grandchildren. We have a program in place to help our most vulnerable Ontarians. We are pursuing conservation in a very aggressive and thorough manner. We have a responsible energy policy for the first time in a long time in the province of Ontario, and I invite my friends opposite to become once again progressive—

**The Speaker:** Thank you. New question.

## NUCLEAR ENERGY

**Mr. Peter Tabuns (Toronto–Danforth):** A question for the Premier: During the provincial election, did you or members of your election campaign team make any specific promises to the environmental community about building new nuclear power?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** First of all, let me take the opportunity to welcome the honourable member to this chamber and to offer him my very best wishes. I say this in all sincerity. To serve is a great privilege, and I offer my very best wishes.

The member opposite will know that we have a consultation program under way at present, and we're speaking to Ontarians to get their very best advice with respect to ensuring that we have a reliable supply of electricity. And yes, we have through that consultation process made it clear that we are prepared to consider nuclear, and we're asking Ontarians for their advice in that regard.

**Mr. Tabuns:** Premier, on the afternoon of Monday, September 8, 2003, environmentalists in this province received this e-mail in their inbox. It reads: "[A researcher] in NDP research lied when he sent out an e-mail ... stating that 'Dalton McGuinty has announced that his government will build more nuclear power plants in Ontario.'"

"A new nuclear plant is not in our plan."

Was that person telling the truth?

**Hon. Mr. McGuinty:** It is true that we did not make an announcement that we were going to build nuclear, but I think what is really important to Ontarians right now is the conversation we're having with respect to what we need to do together to ensure that we're keeping the lights on. That's an important conversation. I think Ontarians, and I know the member opposite, will know that there are no easy answers in this regard. Pretty well everything has a downside. Natural gas tends to be very expensive. Coal-fired generation has toxic emissions and contributes, of course, as well to global warming. There



are people who have concerns about wind turbines and solar. So it's not as if we have an easy choice to make, but I do invite Ontarians and all members in the House to be thoughtful as we grapple with this together.

But again, at the end of the day, we on this side of the House are charged with the responsibility of making sure that we have a reliable supply of electricity, and we will do whatever is necessary to ensure that we keep the lights on in Ontario.

**Mr. Tabuns:** Premier, that letter was written by David Harvey, a key member of the Liberal election campaign team who now just happens to work in the Office of the Premier.

During the election, you made an ironclad guarantee that "A new nuclear plant is not in our plan." Your team called people who suggested otherwise liars. If that's true, please explain why you are breaking your promise and getting ready to waste billions of dollars on new, expensive, unreliable, dirty and dangerous nuclear power plants.

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**Hon. Mr. McGuinty:** The member opposite is making it clear that he is ideologically opposed to new nuclear. I understand that and I accept that, but I just don't think that's a luxury we enjoy on this side of the House. We've got a responsibility to examine those options, including nuclear, to make sure that we can keep the lights on in Ontario, so we will keep that option in mind. I appreciate the position offered by the member newly admitted to this House, but our responsibility is to the broader Ontario public. They are counting on us to do what is necessary to ensure they have a reliable supply of clean, affordable electricity, and we will do whatever is necessary to give effect to that.

#### PROPERTY TAXATION

**Mr. Michael Prue (Beaches-East York):** My question is to the Premier again. Working families in communities across Ontario are getting whacked with sky-high property taxes because you and your government refuse to pay your own bills. In the last election, you promised to assume full responsibility for provincially mandated programs like housing, social assistance and child care. Can you tell us why it is that nearly three years after the election, municipal property taxpayers are subsidizing provincial programs to the tune of \$3.2 billion?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** The Minister of Municipal Affairs and Housing.

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing):** Let me first of all say that I think the municipal world as a whole is quite satisfied, for example, with the \$400 million that we just gave them for the repair of roads and bridges. They're also glad that we're going to get back to the ambulance funding on a 50-50 basis, and \$50 million was just paid to them in order to get closer to that 50-50 response.

They're also quite happy about the fact that the provincial gas tax dollars went to them, to the tune of some \$350 million this year. They're also happy about the fact that, as far as the federal gas tax dollars, we as a province did not interfere, we didn't claw back and we allowed the federal government to make those payments directly to our municipalities. Are we totally there? No. But we're getting there to finally deal with the downloading that—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary.

**Mr. Prue:** Minister, you and your party promised to upload \$3.2 billion. You are woefully inadequate in what you have described. The people who are paying these bills are sick and tired of the unfair property taxes and they want to see some action on your part. You promised to upload all of the download. You promised to accept paying for provincially mandated programs, just like every other province in Canada does. We're alone, you know. Why haven't you taken the burden off these taxpayers in their municipal taxes?

**Hon. Mr. Gerretsen:** As the member well knows, the social service cost-sharing arrangement between the municipalities and the province has been in existence in some cases for as long as 30 or 40 years. Yes, in a perfect world, we would like to upload those costs, but it simply cannot be done within the time factor that he's talking about. But we have made some great strides. Look at public health, for example: That was a 50-50 responsibility when we took office. We are now uploading that so that by the end of next year, it will be 75% paid for by the province and 25% by the municipalities. We are making great strides, people, in order to undo the damage that both that party and the party that was in power for the last eight years have done to the municipalities and the municipal taxpayers in this province. We're working on it and it's going to get done, but it's simply not going to be done within the time frame that that member would like to see.

**Mr. Prue:** Every other province in Canada has been able to do it, but you have not, and that speaks volumes.

I'd like to quote Roger Anderson when he says, "The root cause of our deteriorating infrastructure is the growing \$3.2-billion provincial-municipal fiscal imbalance that sees municipal property taxes flowing to the provincial treasury." That's what he has to say. You promised to erase that gap; you haven't. It's bigger than ever, and property taxpayers, especially seniors, those on fixed income and the disabled, are paying the price. When are you going to stand up for these property taxpayers and upload the download?

**Hon. Mr. Gerretsen:** This government is certainly not going to do anything to counteract what that government opposite did. It's true that a tremendous amount of downloading went on at the time. But of course the one thing that municipalities never talk about is the fact that there was an educational cost upload to the province as well, and that was quite a significant amount—somewhere between \$3.3 billion to \$3.5 billion.

There is a difference right now; we certainly recognize that. We do not necessarily agree with AMO that it's



anything like \$3.2 billion. We are working in those areas, particularly in social services and health. We've already made great progress in the area of public health, in the area of land ambulance and on various other costs as well. We will be working for that because we on this side of the House realize that for a strong Ontario, we need strong communities, strong municipal councils and strong municipal taxpayers. That's what we're working on to make sure this province is strong and has strong—

**The Speaker:** Thank you. New question.

## MUNICIPAL INFRASTRUCTURE FUNDING

**Mr. Norman W. Sterling (Lanark–Carleton):** My question to the Minister of Finance is about the competence of his government. Last week in this House, you told our leader, John Tory, that every dollar of the \$400 million you have allocated for roads and bridges will be spent on roads and bridges. Can you tell me, then, why you wrote a cheque for \$1 million to the county of Frontenac when they don't own, operate or maintain any roads or bridges?

**Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet):** The money can be distributed to the local municipalities. We're proud we wrote a cheque. We're proud—

*Interjections.*

**Hon. Dwight Duncan:** I suppose the member wants us to go and get that cheque back from Frontenac and give it in a tax cut to another area, give it in a tax cut to a coal company. We won't. We're investing in our municipalities. You're right: We're sending money to municipalities to help them with infrastructure. The minister just outlined all the good news, all the good work we've done. We believe they are our partners. We are working with them, and we're going to assist them in every way we can, in a trusting relationship that builds the economy of this province in a way that can't be undone, the way they did—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Mr. Sterling:** The only way this minister could get the money out before the end of year, which he was so desperately doing in order to create a phony deficit this year so he could pretend to balance the budget next year, was to write these cheques without any conditions.

In addition to the county of Frontenac, this minister wrote another cheque to the county of Hastings for \$1.6 million. The county of Hastings doesn't own any roads, they don't operate any transportation system, they don't own any bridges, they don't maintain any bridges. Mr. Finance Minister, why are you giving out money without proper conditions attached?

**Hon. Mr. Duncan:** I'm going to refer it to the Minister of Municipal Affairs.

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing):** The member is correct that the county of Frontenac itself does not operate any roads and

bridges. But they are fully aware that under the plan that was outlined, the money that was going to the upper and lower tiers was in effect split in half, so that the lower-tier money will go to the four municipalities and the money that went to the county of Frontenac will now go to the lower-tier municipalities as well. All the money will be spent on roads and bridges. They're aware of it. That's the way it's going to be handled, and that's the fair way to deal with it.

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**Mr. Frank Klees (Oak Ridges):** On a point of order, Mr. Speaker: I would seek unanimous consent for the minister to repeat that so we could perhaps understand it.

**The Speaker:** Unanimous consent? No.

## SOCIAL ASSISTANCE

**Mr. Michael Prue (Beaches–East York):** My question is to the Minister of Community and Social Services. Madam Minister, Sara Anderson is in the House today in the members' gallery. You might remember her; she is the woman who is today on her 11th day of a hunger strike to raise awareness of your failure to increase social insurance rates, and your failure to end the clawback. Can you explain to her—more so than to me—why, after so many promises, Ontarians on social assistance are receiving less money in real terms from your government today than the day you took office?

*Interjection.*

**The Speaker (Hon. Michael A. Brown):** Order. Minister.

**Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for franco-phone affairs):** I am aware of the situation through the media, but I'm not going to comment on a specific case today. But let me tell you what we have done. We are always concerned when someone goes on a hunger strike for a cause. We are not going to encourage her, and I hope that her MPP does not encourage her, to continue her hunger strike, because as a former nurse, I know the damage that this could create to this person. I will never encourage that.

Let me tell you what this government has done to support those who are the most vulnerable in our community. We have, since we came to government, increased social services by 5%—

**The Speaker:** Thank you. Supplementary.

**Mr. Prue:** Madam Minister, I think your last line said it all: by 5% over three years. That's less than inflation. That's the reality. Sara Anderson's health is deteriorating daily. Each and every day she goes without food and her medicine, her health is deteriorating. She needs to hear from you today what you will be doing. Will you be making good on your broken promises to end the clawback of our poorest children, included amongst them her daughter? Will you make good on your promise to increase social assistance rates that reflect the real cost of living in this province? When are you going to keep your promise to Sara Anderson?



**Hon. Mrs. Meilleur:** As I said, we have increased social assistance by 5%. What we have done also is we have committed to permanently flow through the July 2004, 2005, 2006, national care benefits, which, for a mother with two children, will represent \$1,620 more a year. And I will say to anyone who is not happy with what they are receiving, who is concerned with what they are receiving, that there is a process that is already established: They have to ask for an internal review. Again, if they are not happy, they have to ask for a hearing before the social tribunal. So we know that it's not enough, that they're not receiving enough, but we will continue to work towards improving social service benefits.

I just wanted to talk about the legacy that party left behind. What they have done, the only legacy, is to double the welfare roll. That's your legacy, and you should be embarrassed by that.

#### DRUG SYSTEM REFORM

**Mr. Kevin Daniel Flynn (Oakville):** I have a question today for the Minister of Health and Long-Term Care. Today you unveiled a plan to bring about long-awaited change to the Ontario drug system. It was a very innovative plan; it was a very comprehensive plan. What I would like to focus on, though, specifically, is the part dealing with what are called section 8s. Many of us have heard from doctors in our own communities that section 8s have been synonymous with completely unnecessary bureaucracy. What did the drug secretariat's investigations find out about the section 8 system?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I suppose, in a certain sense, the Drug System Secretariat found out what most of us find out as politicians from the front-line voices of health care, our doctors: that a mechanism that was designed in 1995 to be able to deal with some very exceptional cases and that in its first year dealt with 5,000 individual filings of a form, by 2004 had gone 23-fold to 140,000, with 40 bureaucrats back at the ministry supporting a paperwork system that only happens once the doctors, in their spare time, have filled out those forms.

Accordingly, through the initiatives we've advanced today, one of them is to eliminate the section 8 process, and in doing so to remove a dramatic burden of paperwork from our doctors with a view toward giving them more time to spend with their patients, and creating more listings on those same products so that our patients can access the products they need without the necessary bureaucracy, so a significant advance for our doctors and our patients.

**Mr. Flynn:** Minister, that was excellent news. Any reasonable person would see now why section 8s should be eliminated. I wonder if the minister also could tell us just what he plans to replace them with so that those patients whose doctors feel they require specific drugs aren't left out in the cold by the process anymore.

**Hon. Mr. Smitherman:** An analysis of the paperwork itself tells us that 75% of all of those section 8 claims are

actually approved. That seems to be a very strong piece of evidence that these drugs are appropriately offered as part of a conditional benefit. Accordingly, one of the mechanisms that's in the legislation and in our initiative today is to enhance the conditional listing, which is to take a lot of those products that have so far been the subject of section 8 requests and put them on conditional benefit. This is to place in the hands of our doctors—so they can better support their patients—more power, in a certain sense, to get past a bureaucratic process, to enable our doctors to do what's most crucial: to allow them to spend time on the front line of health care working alongside patients. That's what they want to do, that's what we need them to do, and that's most certainly what patients need them to do.

#### HOMESTEAD LEGISLATION

**Mr. Tim Hudak (Erie-Lincoln):** A question to the Premier: As you're aware, this morning the Homestead Act, Bill 75, passed second reading with a vote of 28 to 9. I want to thank MPPs of all three parties for their support at second reading. I note for the record, Premier, that 11 Liberal MPPs voted in favour of the bill, and I thank them for that. In light of that support from your own party members and those opposite, will you direct your Minister of Finance to work closely with my office to amend the bill, where necessary, and to facilitate the passage of the Homestead Act into law?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Finance.

**Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet):** I welcome the opportunity to work with the member opposite, and I welcome the opportunity to have further discussions on this concept. Our members who voted in favour have been consistent in their position over many years. They stand up for their taxpayers. They also noted their concerns with your bill. Unlike the member opposite, who has tried eight times and failed to do this, the 11 members on our side who expressed their views, and whose views we accept as part of an ongoing discussion around making the system you created work better—we will work with them, and we will work with you and all members of the House, because I believe all members work together to do what they believe is in the best interests of the province of Ontario. This government is prepared to do the work it takes to fix the problem, sir, that you left.

1450

**Mr. Hudak:** I almost thought he was being a nice fellow today, and then at the end he went off the path a little bit.

*Interjections.*

**Mr. Hudak:** I think those members are echoing the support of their colleagues for the concepts in the Homestead Act, as they did earlier this morning. It's certainly a much better answer from the Minister of Finance than we had yesterday, where he seemed adamantly to refuse to



support the Homestead Act, but I'm pleased to see that members of his party, ours and the NDP have convinced him of the wisdom of the Homestead Act. In light of our upcoming meeting to discuss this, Minister, I will ask for your commitment today: Will you support the Homestead Act, Bill 75?

**Hon. Mr. Duncan:** Let me remind the member—and my answer from yesterday hasn't changed—that, first of all, for the average taxpayer out there, this is about how we best manage property taxes. What the member is suggesting there, in my view, at the moment, would in fact penalize low-growth areas, low-growth communities. It would in fact penalize those people in more modest homes and lower-growth areas.

But there is room to discuss these issues. For instance, this government is acting on the 22 recommendations of the Ombudsman with respect to how we assess property. We're going to continue to work carefully, because that member had not one, not two, not three, not four, not five, not six, not seven—eight failed opportunities to deal with this.

I look forward to working with you. I've always respected your abilities and I look forward to working—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

#### SOUTHWESTERN REGIONAL CENTRE

**Mr. Gilles Bisson (Timmins–James Bay):** I'm certainly glad the Liberal caucus can count. That's a good thing to know.

My question is to the Minister of Community and Social Services. Twenty-seven-year-old Tammy Sanders from northeastern Ontario is a resident of the Southwestern Regional Centre. Tammy, you should know, is developmentally delayed, autistic, visually and hearing impaired and, due to bouts of self-abuse, has lost vision in one eye. Since becoming a resident of the Southwestern Regional Centre, her bouts of self-abuse are under control due to the support services they offer at the centre. Your decision to close the regional centre means that Tammy will be moved to a group home that, like all other group homes, is underfunded and, in Tammy's case, can't provide her with the necessary supports to keep her safe and sound.

My question: Tammy's family is worried. They are asking me to ask you, why are you evicting her from what is her home and quite probably putting her at risk?

**Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for francophone affairs):** The decision to close this centre was taken long ago. We are proceeding with the closure, but we are proceeding in a very humane and sensitive way. We are looking at reintegrating them into the community in consultation with their family. We know that when these people get back into the community in a very familiar and welcoming environment, most of the time their condition improves. Also, what we are trying to do is put them closer to their family and their community.

Rest assured, this is being done with great compassion, and we will continue to proceed with compassion and with input from the family.

**Mr. Bisson:** You need to understand that the people who are now in regional centres are those who were not able to be accepted into the community because there are no proper facilities to care for them in the community. We all support—all sides of the House—reintegrating people back into their community with families. That's not the issue.

The issue is that there are families out there whose family members are not able to be properly cared for in the community. That's the case with Tammy. It's not, at the end of the day, in her best interests to bring her into the community if her needs cannot be properly cared for.

I say to you, why are you evicting this young woman from what is her home for the sake of trying to follow a policy that, quite frankly, is a one-size-fits-all that's not going to work for her?

**Hon. Mrs. Meilleur:** Thank you for your question, and thank you for being so sensitive to this very delicate situation. Let me assure you that we are not taking the approach that one size fits all. Every case is looked at individually. In the last budget, we had money in the budget to make sure that these people and this individual will be taken care of, and that the service they will get will be service appropriate to their own condition. If you wanted to discuss a case specifically, we have excellent staff who will support both the family and this individual.

#### HERITAGE CONSERVATION CONSERVATION DU PATRIMOINE ONTARIEN

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** My question is to the Minister of Culture. Minister, I would like to once again welcome you to your new position. I'd also like to thank the former Minister of Culture for her excellent work and continuous devotion to my riding of Stormont–Dundas–Charlottenburgh and its proud cultural and historical traditions. Merci beaucoup, madame la ministre.

One issue that I advocated to the minister concerned the cemetery at St. Andrews West, a community in my riding. This cemetery is the final resting place of Ontario's first Premier, John Sandfield MacDonald, and the great Canadian explorer Simon Fraser. The wall of this cemetery, which the provincial government erected in 1938 in a restoration of the first Premier's burial site, was allowed to decay to a sad state by the last two governments. Whole sections have collapsed, and it is at a point where the wall is a public safety hazard. Minister, can you tell me what your ministry is doing in regard to this cemetery wall?

**Hon. Caroline Di Cocco (Minister of Culture):** I thank the member for his kind words and certainly hope to continue the good work that the previous minister had started.



I'm pleased to answer his question, as he is a great supporter of heritage protection and has shown it through his initiating of a private member's bill to protect Premiers' gravesites. The wall that the member speaks of has been deteriorating, especially since the ice storm and due to damage from road salt. Fallen trees also need to be removed from the site. The cemetery's custodians are concerned that the wall will not withstand another winter season and is putting visitors at risk, as this wall was erected in 1938 and needs repair.

That's why our government has given a cultural strategic investment fund grant of \$50,000 to the Cornwall Township Historical Society. The grant is to assist the conservation of—

**The Speaker (Hon. Michael A. Brown):** Thank you. There may be a supplementary. Supplementary?

**Mr. Brownell:** Thank you, Minister. I know that you share the same dedication that I do on this file, as did your predecessor. She certainly worked hard on it, and I look forward to working with you in the future.

In regard to other files, there's another one that I'd like to mention.

Comme vous le savez bien, ma circonscription a une importante population francophone. Ce groupe est desservi par le Centre culturel du conseil de vie française de Cornwall.

On Friday, it was my privilege to be the bearer of some good news to this francophone community and cultural centre, some of it pertaining to the centre and the good work done there. Minister, would you share with this House what our government has done for this francophone cultural centre?

**Hon. Ms. Di Cocco:** Our government certainly values, again, the member's and the centre's dedication toward the franco-Ontarian population.

Je souhaite bon succès au centre.

I'm pleased to say that the centre will receive a total grant of \$25,000 to develop a feasibility study on the operations of the centre, including a consultation process with the francophone community and the development of a business and long-term strategic fund-raising plan. The centre is the only francophone community cultural centre in Cornwall, an active promoter of francophone heritage and culture, and is a primary facility for francophone community groups to operate from that area.

1500

#### ASSISTANCE TO FARMERS

**Mrs. Christine Elliott (Whitby-Ajax):** My question is for the Minister of Agriculture. Yesterday in this House you stood up and proclaimed that we should see very clearly that your government is helping farmers. I can tell you that the constituents of Whitby-Ajax do not see that clearly at all. Many times throughout the by-election, on election day and even today outside the Sobeys food distribution centre in Whitby, farmers have been out protesting, once again demonstrating that whatever you think your government is doing to serve their

plight just isn't clear to them. I ask you today, what can I tell these hard-working farmers in my constituency that you are going to do to help them, this time in concrete terms? What is your plan to get them what they need now?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I want to take this opportunity to welcome the honourable member and to thank her for her question. I do want to commend her for the concern she is expressing for a very important sector—an important sector in her riding, of course—the agriculture sector. Our government does recognize that there are challenges in the agriculture industry, and that is why I can say, number one, that we have committed, most recently, \$125 million of new money—money that was not in our budget last year, but new money—to support grain and oilseed farmers, to support fruit and vegetable growers and to invest in a traceability initiative, which, again, farmers have told us.

The second thing we have done: We have committed, since November, to respond to their request for a multi-year strategy, a partnership with the federal government. Our government is prepared. We have committed dollars. We are ready to—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Mrs. Elliott:** Minister, as you know, the estimates for the coming year are out, and they show that you have cut \$184 million from the risk management program and that another \$20 million has been cut from rural development. The estimates also show that salaries in your ministry have increased by nearly \$5.5 million. Minister, the farmers outside the Sobeys distribution centre take cold comfort in these numbers. You are not helping the farmers in this province. They're in crisis. They also learned yesterday that now they're going to have to pay higher electricity prices. Don't blame the federal government. Tell this House today how long the farmers have to keep waiting for you to do something.

**Hon. Mrs. Dombrowsky:** I can understand that the honourable member, because she is very new in this Legislature, would not perhaps understand how the numbers are presented in the estimates. I do want to take this opportunity to share with the honourable member that spending at my ministry—Agriculture, Food and Rural Affairs—has in fact increased.

The other clarification that I think is very important for the honourable member is that I'm not blaming the federal government for anything; I'm asking the federal government, and I would ask you to use whatever influence you might have with federal members to urge them, to come to the table and talk to us. We want a partnership. The federal government would claim they have \$500 million available for farmers. Where is it? They need it now. So I would ask the honourable member: Please, encourage your caucus. Do whatever you can to get your federal colleagues, your federal counterparts, to the table—

**The Speaker:** Thank you. New question.



## NORTH LESLIE LANDS DEVELOPMENT

**Mr. Peter Tabuns (Toronto–Danforth):** My question is for the Minister of the Environment. Developers are fighting to put a new urban sprawl community of 7,800 residential units—the size of Stouffville—on the Oak Ridges moraine and Rouge River headwaters wetland complex in North Leslie. The area was made famous by Dalton McGuinty's broken promise to stop 6,600 houses. You claim your Clean Water Act protects our source waters, yet you are letting your developer friends pave North Leslie, one of the most environmentally sensitive and hydrologically complex areas in southern Ontario. What are you prepared to do to stop it?

**Hon. Laurel C. Broten (Minister of the Environment):** I'm very pleased to rise in the Legislature and have an opportunity to talk about the Clean Water Act, a piece of legislation that we will all be able to look back on one day and recognize that together this Legislature—because I think it is important to note that we all believe we must prevent our water from being contaminated in the first place. We will all be able to look back and know that we have left a legacy for our children, mine and yours, of clean water in this province. We've had a history of learning some difficult lessons in our province, and I can tell you, we're not going to go back. We are going to move forward and make sure that we prevent things from happening.

I think it's important for the Legislature to know that on February 6, the Ontario Municipal Board began hearing matters related to the proposed development in the North Leslie lands in Richmond Hill, and I'm pleased that these issues are getting the attention they deserve.

**Mr. Tabuns:** Notwithstanding the fine words, protecting water quality means protecting source waters, not paving them over. Since the greenbelt was adopted, testimony at OMB hearings has proven that the majority of North Leslie is too sensitive for development. It's home to a provincially threatened fish, the redbside dace, and a regionally significant wildlife colony.

Again to the minister: At a minimum, will you listen to your own scientists and immediately implement a 10% cap on paved surfaces at the North Leslie lands, or do you agree with developers that the moraine needs more pavement?

**Hon. Ms. Broten:** I am very proud to be part of a government that has taken an incredible step in protecting the amount of greenbelt that we have protected in this province. Let me tell you, the decisions we are prepared to make on this side of the House are not easy. You can imagine that there are folks right across this province who don't want to protect greenbelt properties, but we have taken those steps and we are prepared to protect 1.8 million acres of very sensitive and important land. That is critical.

We favour taking a precautionary approach in situations involving Ontario groundwater resources, and that's why we've introduced the Clean Water Act. We are taking action to protect that source water. We believe

in science. The Clean Water Act is pre-eminent. The decisions we will make in this Legislature will be grounded in science. The decisions I make in the Ministry of Environment are grounded in science; they are not grounded in the media and not grounded in fiction. We will follow the scientists who work hard in the Ministry of the Environment and we will protect sources of drinking water—

**The Speaker (Hon. Michael A. Brown):** Thank you.

## AMATEUR SPORT

**Mr. Tim Peterson (Mississauga South):** My question is for the Minister of Health Promotion. Ontario athletes are highly motivated, truly exceptional individuals who serve as role models for all of us. We are honoured to be joined in the House today by young athletes from my riding. Would they please stand to be recognized: Adrienne Bethune, Brooke Hilditch, Christopher Edwards, Frantiska Vondrejs and Paralympic shooter Karen Van Nest. All of these young athletes are recipients of funding through the athletic assistance program which is made possible by the Quest for Gold lottery.

Minister, results are already in and these athletes can attest to the program's success. Does our government plan to continue this program?

**Hon. Jim Watson (Minister of Health Promotion):** I'd like to join the member for Mississauga South and congratulate these young athletes for the fine work they have done representing our province. Quest for Gold, the lottery, was an idea that first came about in the 2005 budget and to date, in the first quarter alone, has generated \$2.9 million in direct profits, 100% of which is going into athletes, coaching and amateur sport. Mr. Speaker, 892 athletes are receiving funding, including 99 Paralympians. The cheques have already been sent and received.

We all know the cost of getting to the podium. I want to leave you with one quote from Linda Shales of Oakville, whose son is a figure skater. She wrote to me and said: "I'm sure you're aware helping a son or daughter participate as an amateur athlete at the national level is a huge financial commitment requiring a great deal of sacrifice. This funding will greatly help to meet Brian's financial obligations and I'm very appreciative of this program and so pleased to see the Ontario government is supporting—"

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary.

**Mr. Peterson:** Thank you for that great news for the athletes of Ontario. I'm sure these athletes can attest to the need for quality coaching and competitive opportunities to augment their training. Coaches put in long hours with these athletes, helping them to achieve their best. In major competitions like the Ontario summer and winter games, these athletes get the opportunity to compete against the best in Ontario.



1510

Minister, now that athletes are once again receiving direct funding, how is their access to coaching and training being enhanced?

**Hon. Mr. Watson:** Thirty per cent of the funds raised from the Quest for Gold lottery are going to coaching and training. In fact, \$558,000 has already been delivered to the Canadian Sports Centre, Ontario, to provide Ontario athletes with increased access to better-qualified coaches and \$280,000 has already flowed through the Sport Alliance of Ontario to enhance training and competitive opportunities. Increased funding went, for instance, to the Ontario Winter Games that just took place a few months ago in Collingwood, and I'm very pleased to report that additional funds will be going to the summer games taking place in my hometown of Ottawa, so a number of new sports can be added.

The McGuinty government is back in the business of supporting these young role models, these athletes who bring so much pride to our province, and we'll be there to see them on the podium.

#### OPP FUNDING

**Mr. Garfield Dunlop (Simcoe North):** My question today is for the Premier, in the absence of Minister Kwinter. As a follow-up to yesterday's question to Minister Kwinter, I would like you to clarify the information on page 96 of the expenditures estimates regarding the Ontario Provincial Police. It clearly states that \$502,900 will be cut from the investigations and organized crime unit, \$31,073,800 will be cut from field and traffic services, and \$1,147,000 will be cut from the fleet management program.

Yesterday, the minister indicated that I had incorrect information. Premier, can you tell the House what the correct expenditures will be in these three key OPP programs and how many other pages are incorrect in this expensive document?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I'm pleased to be able to speak to the question. Let me just say at the outset that the OPP funding this year has increased by \$11,774,400. In the last two years, we have increased the funding for the OPP by 7%.

I'm sure the member knows that, while we provide the global operating budget to the OPP, it is the responsibility of the OPP itself to designate which programs they want to invest in. We provide the global budget; they, of course, make decisions which they think are in the best interests of public safety in Ontario.

**Mr. Dunlop:** Thank you for the answer. As a critic and a host MPP for the OPP general headquarters, I can tell you and I can tell everyone in this House that no one has more concern for the well-being of the Ontario Provincial Police.

What I'm really looking for is correct information. I just simply can't understand why that page would exist in this document. You are telling me that the information in this expensive document is really incorrect; in fact, similar to the information you provided to the voters of Ontario in your Liberal election platform, which we all know is full of broken promises.

Premier, when can this House expect correct information on the operating expenses of the OPP for 2006-07?

**Hon. Mr. McGuinty:** Again, I am pleased to report that funding this year has in fact increased by close to \$12 million. I repeat that over the course of the last two years, we've increased funding for the OPP by 7%. We are providing additional support for the guns and gangs unit, for the biker enforcement unit, for a program which has the cyber-proofing of our children from predators in mind and an anti-child-pornography section.

Let me just take the opportunity to say how proud we are of our Ontario Provincial Police and the dedication they bring to public safety throughout our province. It's the kind of organization that we have a strong attachment to, and we will continue to make the necessary investments to ensure that they have the wherewithal at all times to live up to their full responsibilities.

Let me say as well that we're proud to have invested \$2.3 million to expand the OPP provincial weapons unit—

**The Speaker (Hon. Michael A. Brown):** Thank you, Premier. New question.

#### ASSISTANCE TO HAMILTON

**Ms. Andrea Horwath (Hamilton East):** My question is for the Premier. How is it that your government can find the money to give your hydro CEO, Tom Parkinson, \$702,000 in cash bonuses but you can't find \$480,000 to help Hamiltonians whose homes and businesses were devastated by a tornado?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Municipal Affairs and Housing.

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing):** As the member well knows, in the last budget, the city of Hamilton got an extra \$17 million in order to assist with this.

Let me just say that certainly we have a tremendous amount of sympathy for the people who were involved in the tornado and the damage that was done. But the mayor himself acknowledged in the Hamilton media today that his application simply did not meet the criteria of the special assistance grant funding. That's what it's based on.

We're very proud that this government was able to give an extra \$17 million to the city of Hamilton so it can meet its obligations to its taxpayers.



## PETITIONS

## CAFETERIA FOOD GUIDELINES

**Mr. Frank Klees (Oak Ridges):** I have a petition to the Legislative Assembly of Ontario. This petition was delivered to me by Nupur Dogra, and it reads as follows:

"Whereas childhood obesity rates have tripled over the past two decades in Canada; and

"Whereas the annual amount of money the health care system uses to amend preventable obesity related illnesses is \$1.6 billion; and

"Whereas the Ontario food premises regulation only provides safety policies that must be followed by the Ontario school boards' cafeterias, but no defined regulations regarding the nutrition standard of the food being served at the cafeterias; and

"Whereas there is a need to encourage nutritious standards in high school cafeterias that support Canada's Guidelines for Healthy Eating; and

"Whereas the private member's bill proposed by Nupur Dogra under Making the Grade and her fellow students at Iroquois Ridge High School will require all Ontario school boards' cafeterias to adopt and abide [by] healthier eating standards (similar to Canada's Guidelines for Healthy Eating) that will govern the food choices;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass the private member's bill that will amend the Ontario school boards' cafeteria food guidelines to follow healthier food standards in all Ontario high school cafeterias."

I am pleased to affix my signature to this petition and to commend Nupur for her private member's bill. I will present this to page Elyse to present to the table.

## CHILD PROTECTION SYSTEM

**Ms. Andrea Horwath (Hamilton East):** I'm pleased to present a petition from over 3,000 Ontarians concerned about the lack of independent oversight within the province's child protection system. The petition reads as follows:

"Whereas the Child and Family Services Act of 1999 has been misused to apprehend large numbers of Canadian children; it is financially onerous to the people of Ontario;

"Whereas the current legislation gives CPS workers more power than any policeman, physician or judge, the rights of Canadian children are routinely trampled in the name of 'child protection';

"Whereas the funding of this agency is piecemeal based, it is financially rewarded for each file opened and each child apprehended;

"We, the unsigned, petition the Legislative Assembly of Ontario to open up the process to public scrutiny to ensure a level playing field, and ensure a proper judicial review with proper representations."

I'm sending it to the table by way of Charlotte.

## LONG-TERM CARE

**Ms. Jennifer F. Mossop (Stoney Creek):** I'm presenting a petition on behalf of a number of groups from my riding who are concerned about the levels of funding for long-term care and worried about the residents in those homes. It says:

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I affix my name to the petition.

**Mr. Ted Chudleigh (Halton):** I have a petition to the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I give this to page McKenzie for delivery to the table.

## 1520

**Mr. John Milloy (Kitchener Centre):** I have a petition similar to that presented by other members concerning the level of funding at our long-term-care homes and concern about that level. They petition the Legislative Assembly of Ontario "to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

## AGGREGATE EXTRACTION

**Mr. Kevin Daniel Flynn (Oakville):** I have a petition signed by some residents of the region of Halton.

"Petition to Rescind Joint Board Decision (June 8, 2005) Approving the Applications of Dufferin

Aggregates to Expand its Mining Licence in the Niagara Escarpment World Biosphere Reserve.

"To the Legislature of Ontario:

"There are numerous reasons for rescinding the joint board decision, including the following:

"Whereas the decision contravenes the purpose of the Niagara Escarpment Planning and Development Act;

"Whereas the decision sets a precedent for quarry expansion licences on the Niagara Escarpment;

"Whereas this decision could lead to habitat destruction for species of concern;

"Whereas escarpment rural lands are equivalent to buffer designation under the United Nations' framework for biosphere reserve...;

"Whereas, to attempt to maintain the significant wetlands and the stream's course, water will have to be pumped in perpetuity;

"Whereas this decision allows for pumping 50 feet/17 metres below the water table;

"Whereas the 50-foot dams to be constructed have a potential for failure;

"Whereas aggregate can be readily accessed close to market off the Niagara Escarpment in land that is not protected or at risk;

"We, the undersigned, petition the Legislature of Ontario as follows:

"We call on the government of Ontario to:

"Issue an order by the Lieutenant Governor in Council ... rescinding the decision made by the joint board dated June 8, 2005, approving the applications of Dufferin Aggregates in regards to this matter;

"Issue an order by the cabinet substituting for the decision of the board on this matter, a decision rejecting the applications of Dufferin."

#### EDUCATION FUNDING

**Mrs. Christine Elliott (Whitby-Ajax):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding, solely because they are not Catholic;

"Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

"Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

"Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

"Whereas Ontario is the only western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces

except the Atlantic provinces fund faith-based schools and have thriving public school systems;

"Whereas the cultural survival of the affected minority groups is at stake;

"Whereas faith-based schools produce responsible and productive citizens; and

"Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable and protects and enhances the public interest;

"We, the undersigned, call on the Ontario Legislature to pass legislation to provide equitable funding in respect of all faith-based schools in Ontario without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded."

I'm pleased to affix my name in support thereof.

#### HEALTH CARE

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I have a petition with approximately 545 signatures. It was prepared by a community activist in my community, Sonny Sansone. It's addressed to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the McGuinty government is committed to providing the best possible universally acceptable health care system to the people of Ontario;

"Whereas Ontario health care needs are being addressed through the creation of local health integrated networks (LHINs);

"Whereas LHINs allow important health care decisions to be made at the community level by people who best understand the needs and priorities of the community;

"Whereas LHINs move toward a system that is better planned, coordinated and accountable;

"We, the undersigned, applaud the McGuinty government for protecting and enhancing Ontario's health care system."

I agree with this petition, I affix my signature to it and give it to page Jenna to present to the table.

#### ORGAN DONATION

**Mr. Frank Klees (Oak Ridges):** I have petitions submitted to me through York Central Hospital, Ms. Pavla Horsak, Sue Good and, also, from Ottawa, Mr. Bryan W. Fuller. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas 1,920 Ontarians are currently on a waiting list for an organ transplant; and

"Whereas the number of Ontarians waiting for an organ transplant has virtually doubled since 1994; and

"Whereas hundreds die every year waiting for an organ transplant; and



"Whereas greater public education and awareness will increase the number of people who sign their organ donor cards and increase the availability of organ transplants for Ontarians; and

"Whereas the private member's bill proposed by Oak Ridges MPP Frank Klees will require every resident 16 years of age and older to complete an organ donation question when applying for or renewing a driver's licence or provincial health card, thereby increasing public awareness of the importance of organ donation while respecting the right of every person to make a personal decision regarding the important issue of organ donation;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 67, the Organ and Tissue Donation Mandatory Declaration Act, 2006."

Of course, Speaker, as the proponent of that private member's bill, I'm pleased to affix my signature.

**The Acting Speaker (Mr. Joseph N. Tascona):** That's understandable.

#### BORDER SECURITY

**Mr. Mario Sergio (York West):** I have an additional petition here addressed to the Legislative Assembly of Ontario.

"Whereas the United States government, through the western hemisphere travel initiative, is proposing that American citizens require a passport or single-purpose travel card to travel back and forth across the Canadian border; and

"Whereas a passport or single-purpose travel card would be an added expense, and the inconvenience of having to apply for and carry a new document would be a barrier to many visitors; and

"Whereas this will mean the loss of up to 3.5 million US visitors in Ontario, losses of \$700 million, and the loss of 7,000 jobs in the Ontario tourism industry by the end of 2008; and

"Whereas many of the northern border states in the United States have expressed similar concerns regarding the substantial economic impact of the implementation of this plan; and

"Whereas the safe and efficient movement of people across the border is vital to the economies of both our countries;

"Therefore, be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario to support the establishment of a bi-national group to consider alternatives to the proposed border requirements and inform Prime Minister Harper that his decision to not pursue this issue with the United States is ill-advised."

I share this concern and I will affix my signature to it.

#### LONG-TERM CARE

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** A petition to the Legislative Assembly of Ontario:

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

1530

#### COMMUNITY MEDIATION

**Mr. Bob Delaney (Mississauga West):** I have a petition for the Ontario Legislative Assembly regarding community mediation, and I'd like to thank Anita Wong, Carol Foster and Janice Edmund for having gathered some signatures for it. It reads as follows:

"Whereas many types of civil disputes may be resolved through community mediation delivered by trained mediators, who are volunteers who work with the parties in the dispute; and

"Whereas Inter-Cultural Neighbourhood Social Services established the Peel Community Mediation Service in 1999 with support from the government of Ontario through the Trillium Foundation, the Rotary Club of Mississauga West and the United Way of Peel, and has proven the viability and success of community mediation; and

"Whereas the city of Mississauga and the town of Caledon have endorsed the Peel Community Mediation Service, and law enforcement bodies refer many cases to the Peel Community Mediation Service as an alternative to a court dispute; and

"Whereas court facilities and court time are both scarce and expensive, the cost of community mediation is very small and the extra expense incurred for lack of community mediation in Peel region would be much greater than the small annual cost of funding community mediation;

"Be it therefore resolved that the government of Ontario, through the Ministry of the Attorney General, support and fund the ongoing service delivery of the Peel Community Mediation Service through Inter-Cultural Neighbourhood Social Services."

I thank the staff at ICNSS for having gathered these signatures, and I'm giving this to page Mark to deliver for me.

#### EDUCATION FUNDING

**Mr. Jerry J. Ouellette (Oshawa):** I have a "Petition to Ontario Legislature to End Discrimination." It reads as follows:

"Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding... ;

"Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrange-

ment is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

“Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

“Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

“Whereas Ontario is the only western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces except the Atlantic provinces fund faith-based schools and have thriving public school systems;

“Whereas the cultural survival of the affected minority groups is at stake;

“Whereas faith-based schools produce responsible and productive citizens; and

“Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable and protects and enhances the public interest;

“We call on the Ontario Legislature to pass legislation to provide equitable funding in respect of all faith-based schools in Ontario without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded.”

I affix my name.

## BUSINESS OF THE HOUSE

**Hon. Gerry Phillips (Minister of Government Services):** Pursuant to standing order 55, I rise to give the Legislature the business of the House for next week.

On Tuesday, April 18, 2006, in the afternoon, second reading of Bill 11, the Provincial Parks and Conservation Reserves Act, 2005. In the evening, second reading of Bill 81, the Budget Measures Act, 2006.

On Wednesday, April 19, 2006, in the afternoon, second reading of Bill 51, the Planning and Conservation Land Statute Law Amendment Act. In the evening, second reading of Bill 81, the Budget Measures Act, 2006.

On Thursday, April 20, 2006, in the afternoon, to be determined.

## ORDERS OF THE DAY

### BUDGET MEASURES ACT, 2006

#### LOI DE 2006

#### SUR LES MESURES BUDGÉTAIRES

Mr. Duncan moved second reading of the following bill:

Bill 81, An Act to implement 2006 Budget measures and to enact, amend or repeal various Acts / Projet de loi 81, Loi mettant en oeuvre certaines mesures énoncées dans le Budget de 2006 et édictant, modifiant ou abrogeant diverses lois.

**The Acting Speaker (Mr. Joseph N. Tascona):** The Minister of Finance.

**Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet):** It gives me great pleasure to rise today and speak about the Budget Measures Act, 2006. I will be sharing my time with my parliamentary assistant, the member for Pickering–Ajax–Uxbridge.

This bill implements measures we proposed in the budget we presented a few weeks ago. If I may, I'd like to take this opportunity to reiterate how proud I am, as the Minister of Finance, to have been able to present our budget here in Legislature, the McGuinty government's third budget, which continues our focus on health, education and post-secondary education, while building a stronger economy.

When we came to office in 2003, we inherited a health care deficit, an education and skills deficit, an infrastructure deficit and a fiscal deficit. In the last two and a half years, we have set about addressing each of these challenges in a planned and deliberate way. In our first budget, in May 2004, we laid out for debate and consideration our government's four-year plan for the province. In our 2005 budget, we continued moving forward with this plan, while making an historic \$6.2 billion cumulative investment in post-secondary education by 2009-10 to improve access, quality and accountability. Our 2006 budget is the next part of our plan to invest in health and education, to restore the province's finances and to position Ontario for growth today and tomorrow.

I ask all members of this House for their support for Bill 81, in order for us to put our plans for Ontario into action. This bill will help us to invest in people and the things that matter most to them. This bill will help us to strengthen our economic advantage, which will create a climate for job creation now and in the future. This bill continues to implement measures of our plan for Ontarians. Let me remind viewers watching us here today that, unlike the opposition, we have a plan. Our plan is balanced and responsible, our plan puts people first, and our plan is working.

Job numbers are up since we took office in October 2003. We have seen the economy create almost 230,000 net new jobs, many of which are full-time, higher-paying, knowledge-intensive jobs.



Class sizes are smaller. We have funded an additional 4,300 elementary and high school teachers over the past two years. More than 2,100 schools have reduced class sizes from junior kindergarten to grade 3.

Students are doing better. Literacy and math scores for grade 3 and 6 students have gone up; 62% of these students are now meeting the provincial standard in reading, writing and math, up from a little more than half just two years ago—all of this while cutting the deficit we inherited from the Tory government by 75%, and all of this with a prudent and balanced approach that allows us to invest in our future prosperity while keeping our taxes competitive.

Clearly, our plan is sound. In speaking to this bill today, I'd like to show how this budget bill moves forward on our plan for Ontario, builds on our achievements over the previous years and positions us for a brighter tomorrow. I'd like to start by reminding members of what we announced in our budget.

Quick, reliable and safe transportation is vital to our economic success. It is also essential to our quality of life. In our 2006 budget, we announced Move Ontario, a new \$1.2-billion investment in public transit and municipal roads and bridges that will build opportunity for every Ontarian. The centrepiece of Move Ontario is a landmark \$838-million investment to enable the expansion and modernization of public transit in the greater Toronto area. We will also provide municipalities outside the GTA, with emphasis on rural and northern communities, with \$400 million for roads and bridges. That's enough to repair up to 800 bridges or to resurface 3,000 kilometres of road—about the distance from Thunder Bay to Ottawa and back again. In fact, the Conservatives said today they wanted us to get the money back from some of those municipalities, which was really quite something to behold.

Many municipalities will benefit from the funding, municipalities like the ones in Tim Hudak's riding. The riding of Erie-Lincoln will be receiving almost \$15 million under Move Ontario. Municipalities in the riding of Dufferin-Peel-Wellington-Grey will be benefiting. That's John Tory's riding. They'll be receiving over \$16 million in funding. I know that Mr. Sterling advocated today that we should go and get some of that money back, but I'm not going to do that to Mr. Hudak, I'm certainly not going to do it to Mr. Tory, but, more importantly, not to the people of those great communities who deserve the kinds of investments we're making in public transit and infrastructure.

1540

In addition to our investments in infrastructure, the 2006 budget makes investments to support key sectors, including agriculture, forestry, culture and research and innovation. These investments will strengthen Ontario's competitive advantage, boost economic growth and improve the quality of life for Ontarians.

All of the items in this bill that we are debating today will build on our commitments. For example, one item in this bill that I'm particularly proud of is the extension of

the film tax credit for foreign productions for another year. The entertainment and creative cluster, which includes the film and television industry, is one of the many success stories of our province's diverse economy. Amendments are being proposed to the Corporations Tax Act to extend the 18% tax credit rate for the Ontario production services tax credit for another year, from March 31, 2006, to March 31, 2007.

The Ontario production services tax credit is a refundable tax credit that is available to qualifying corporations for labour expenditures in respect of eligible film and television productions. The extension of the 18% tax credit rate for another year reflects this government's commitment to support Ontario's film and television industry and to help ensure that it remains competitive. We believe we have the right combination of people, expertise, facilities, sites and, now, the financial incentives to protect Ontario's position as the leading film and television production centre in Canada.

Our province is North America's third-largest employer in the creative industries, after California and New York. Creative industries contributed almost \$10 billion to the provincial economy in 2004 and will be among the top three growth industries over the next two decades. Our government recognizes that a strong and sustainable film and television industry is a major contributor to Ontario's economy and quality of life. Film and television production in Ontario generates \$2 billion per year and accounts for nearly 20,000 jobs. The measures in this bill demonstrate our commitment to maintain and enhance the film and television industry leadership.

I can tell you that the industry appreciates these measures. Donna Zuchlinski, manager of film at the Ontario Media Development Corp., has said, "We are seeing around \$200 million in new activity that we can attribute directly to the tax credit increase." Jim Mirkopoulos, vice-president of Cinespace Film Studios, has said, "The current boom is absolutely a result of the tax credit increases. All the producers we talk to will tell us the new incentives are what is turning heads in LA." Individuals like Donna and Jim know that this government is on the right path and are supportive of the measures in this bill.

Another measure in this bill that I am particularly proud of is the proposal to reduce the capital tax rates for 2007-08 by 5% of the current rates. In 2004, we announced a plan to eliminate Ontario's capital tax by 2012. In this year's budget, we announced that we would build on our original plan by accelerating the capital tax rate cut. Amendments are being proposed to the Corporations Tax Act to implement those measures proposed in the budget which would reduce the capital tax rates for 2007 and 2008 by 5% of the current rate. Further, we intend to fully eliminate the tax in 2010, a full two years earlier than planned, should the fiscal position of the province allow.

As I'm sure all members of the House are aware, we are home to Canada's largest manufacturing sector, we are home to the continent's leading automotive sector, we



are home to the country's leading information and communications technology sector and we are the hub of Canada's financial services sector, which underpins economic activity right across Canada. To encourage this diverse economy, we must ensure the vitality of our investment climate. A competitive tax system is essential to attract business investment and encourage economic growth. The measures we are proposing in this bill will lead to increased capital investment, which will lead to more and better jobs. This will build on the progress we are already making.

The economy is strong. Since coming to office, we have seen Ontarians create almost 230,000 net new jobs. Our unemployment rate steadily declined last year and currently sits at 6.1%, below the national average. The infrastructure-related measures in our 2000 budget will help to create almost half a million new jobs over the next six years. Ensuring that all Ontarians can enjoy a high quality of life is important to our government. We're proud that unemployment is down well below what it was under the Tory government in their years in office. We're very proud of that record.

We're making new investments in education and health care without introducing new taxes or increasing current ones. We are optimistic about Ontario's economic growth. We will do our part to ensure that the economy can withstand external factors by anticipating challenges and prudently managing our finances.

I'm proud of what we have accomplished so far. I'm excited about our plan for the future, because ultimately it's a plan that will strengthen the prosperity of our people, the health of our people and the education and skills of our people.

I now ask honourable members for their support for Bill 81, so that we can move forward with our plan to invest in Ontarians, in the things that matter most to them, in the future of the province they and we call home.

**Mr. Wayne Arthurs (Pickering-Ajax-Uxbridge):** I'm particularly pleased and honoured to join in the debate today on Bill 81, the Budget Measures Act. It's my pleasure in part because this is the first opportunity I've had, since joining the minister's office last July, to participate in a budget measures bill as parliamentary assistant to the Minister of Finance.

In speaking to the bill not too long ago, Minister Duncan outlined Move Ontario as one of the initiatives. Our government's \$1.2-billion investment in Ontario's public transit systems and municipal roads and bridges is being very well received throughout the province. I can tell you that the \$400 million within that framework that's going to roads and bridge reconstruction in ridings and communities throughout Ontario is going to be well used to help repair an infrastructure in decline.

As well, the increase in the gas tax from 1.5 cents to a full two cents in October of this year is being well received by municipalities and will provide them with the support they need to enhance their transit systems, both from the standpoint of operating capital investment, but

more particularly, with the flexibility now to support their operating costs as well.

The minister touched on what this bill will do to support economic growth in the province of Ontario, including measures to strengthen and promote Ontario as an innovative economy.

I want to elaborate a little bit on some of the things that the minister, in his time, had the opportunity to speak to. I want to speak briefly on what the budget measures bill does in regard to our health care and education systems. Your support, members of this Legislature, for Bill 81 will help us build opportunity not only for the province but also for everyone who calls Ontario home.

Investing in health care is one of our government's top priorities. We're building opportunities for Ontarians to achieve better health through new programs to promote health and prevent illness, better access to doctors and nurses, and shorter wait times for key services. The government's investment in health care will grow by an additional \$1.9 billion to \$35.4 billion in 2006-07, and that amount will rise to \$38.8 billion in 2008-09. If there are any outstanding questions about the need for the health premium, this level of investment should put those questions to rest.

The 2006 budget further enhances health promotion and illness prevention by:

—Providing some \$12 million in 2006-07, growing to \$30 million, to fund the purchase of insulin pumps and related supplies for young people with type 1 diabetes. This is a matter that came to this Legislature as a private member's initiative. It has been in this Legislature more than once and has now found itself in the budget.

—Providing total funding of almost \$35 million in 2006-07, growing to \$42 million in 2008-09, to the Ontario breast screening program to increase access to screening for women between the ages of 50 and 74. This funding will support the completion of more than 320,000 screens in 2006-07, growing to some 385,000 screens in 2008-09.

—Investing some \$7 million annually to enhance the newborn screening program by expanding the number of diseases for which Ontario screens, and supporting the creation of a new state-of-the-art screening facility, at the Children's Hospital of Eastern Ontario.

We're investing in hospitals around the province of Ontario. In my riding of Pickering-Ajax-Uxbridge, my constituents welcomed our firm commitment to the local hospital sited in Ajax as a project moving forward to construction in the 2007-08 budget year.

**1550**

An example of our government's interest in supporting healthy choices that can be seen in Bill 81 is an amendment to the Retail Sales Tax Act. To encourage those consumers who drive to choose vehicles with a less harmful impact on the environment and on the air we breathe, we propose to increase the amount of the maximum retail sales tax rebate for qualifying hybrid vehicles to \$2,000. This would apply for vehicles delivered after March 23 and purchased before April 1, 2012. Every step



towards improving Ontario's air quality is a step towards improving the health of Ontarians.

Improving access to the health care system goes hand in hand with improving the system itself. Regardless of how modernized, state-of-the-art or top-notch a health care system may be, it doesn't work if only a few can gain access. Accordingly, our government is working hard to improve access to doctors, nurses and our health professionals.

We are increasing the number of family health teams to 150 by 2007-08, to provide access to primary health care services for 2.5 million Ontarians. The first of those in Durham region was recently announced for Durham West, in the Pickering and Ajax communities.

We're implementing a comprehensive nursing strategy that acknowledges the key role of nurses in quality health care and increases the supply of nursing professionals.

We're investing \$75 million over three years to create an additional 22 community health centres, and 17 satellites to improve access to primary health care. When fully operational, 76 community health centres and 27 satellites will serve over 530,000 Ontarians.

We're investing an additional \$300 million over the next three years to move towards a 50-50 cost sharing with municipalities for land ambulance. That will be accomplished by 2008. This was the one clear message we heard from municipalities during the budget consultations, the one major area that they found the greatest amount of stresses on and needed the province to come to the true partnership that had been initially proposed.

We're creating some 104 new first-year medical school spaces by 2009-10. On a percentage basis, that's well above what we committed ourselves to during the mandate from 2003 to 2007.

Not only is a strong health care system important to Ontario, but a strong public education system is the foundation for a strong economy and a cohesive society. Children need the best start in life to achieve their full potential, and our government is committed to providing the best publicly funded education system for our children. Our plan is to build opportunity through investments in smaller classes, better student achievement and higher post-secondary graduation rates. The 2006 budget would increase grants for student needs to school boards by more than \$400 million, to \$17.3 billion in total. By 2008-09, the province will provide an additional \$2.6 billion in funding to school boards, compared to what they had in 2003-04, increasing by 18%, to almost \$9,300 average funding per student, when one compares it to that earlier period.

In addition, we're enhancing students success through funding for 4,300 more elementary and secondary teachers over the past two years. This goes a long way to implement our plan towards the capping for JK to grade 3 at 20 students or less. So far, 2,400 new elementary school teachers have been funded. Over half of our elementary schools now have smaller primary class sizes.

Our plan for success in education is working. The number of grade 3 and 6 students meeting the provincial

standard in literacy and math has increased to 62% from 54% just two and a half years ago, and we're determined to continue on that road for improvement.

We're also enhancing the Learning to 18 strategy to increase the number of high school students who actually graduate. Within five years, we expect to achieve 85%. So far, 1,300 more high school teachers have been hired to help us achieve that.

To strengthen literacy for our aboriginal peoples, we are providing \$6 million to First Nations and rural libraries and more than \$800,000 for the Lieutenant Governor's summer camp initiative that encourages literacy among the aboriginal youth in northern Ontario.

We're committed to success at the post-secondary level as well. Last year, we introduced the Reaching Higher plan, an historic \$6.2-billion cumulative investment in post-secondary education to increase access and improve quality and accountability. We're taking further steps in this budget to implement Reaching Higher, creating some 75,000 new spaces for students; doubling spending on student aid, adding more than \$300 million by 2009-10; making further enhancements to loans and grants, benefiting some 145,000 students; increasing to 60,000 the number of students receiving upfront grants, up from 32,000 just a year ago, by more than doubling the income threshold for a family with two children from about \$35,000 to \$75,000, making access to post-secondary education that much more achievable for those in our lower-income and middle-income brackets. We're easing student debt by guaranteeing that students who receive government loans of more \$7,000 per year will have any amount beyond that forgiven; raising book and supply allowances for the first time since the mid-1980s, benefiting some 138,000 students; increasing college and university operating grants by \$736 million in 2006-07 over base funding; and continuing to expand graduate education, through \$70 million in funding, growing to \$220 million annually by 2009-10, resulting in 14,000 new spaces for graduate education.

In addition to our commitment to public education, we also remain committed to helping the sectors that support our economy. One sector in which we have faced challenges this past year has been the forestry sector. Although our economy has demonstrated great resilience in the face of serious challenges, there's no doubt that the forest industry in Ontario has been adversely affected. That's why the Premier and the Minister of Natural Resources have announced that we will set up a forest sector prosperity fund of \$150 million over three years.

Amendments in this bill before us today would amend the Ministry of Natural Resources Act to authorize the minister to establish programs to promote and stimulate the development and management of natural resources in the province of Ontario. It would also permit the minister to make grants for that purpose. This measure is particularly important in supporting the economy and long-term prosperity for northern regions, and this measure, as does the bill in its entirety, delivers on the commitments we've made as a government.



When we took office, we inherited a variety of deficits: a deficit in health care, a deficit in education, a deficit in infrastructure. Each of our budgets has made important investments in each of these areas to benefit all Ontarians. At the same time, we have systematically been whittling down the massive fiscal deficit Ontarians were left with by the former government. Its Premier and finance minister of that day left us with a \$5.6-billion hole. No wonder they tried to direct Ontarians' attention away from that situation by delivering the now infamous Magna budget in an auto parts factory, rather than here in the public House.

To ensure that we can provide opportunity to all Ontarians through the measures introduced in the 2006 budget, I would urge all members of the Legislative Assembly to support Bill 81.

1600

**The Acting Speaker (Mr. Jerry J. Ouellette):** Questions and comments?

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I'm pleased to have a couple of minutes to comment briefly on what the minister and the parliamentary assistant had to say on the budget. I think it was basically a good-news budget. I know the minister and the PA have worked very hard, as well as a lot of the people behind the scenes, in bringing forward a budget that is starting to rebuild and reconstruct trust with the taxpayers, with the people of Ontario.

As was stated by the minister and the parliamentary assistant in their comments, this budget touches on a lot of different areas, and they spoke to some of those areas. I briefly want to speak about the fact that Move Ontario, a \$1.2-billion investment in public transit, is something that is extremely significant to Ontario, and to the people in my riding of Scarborough Southwest. You can't have a healthy Ontario, a healthy Toronto, a healthy GTA or a healthy Golden Horseshoe area without having a public transit system and a public infrastructure system that are going to move people. If you go to any major city in the world, whether it be London, Paris, New York City or any other major city, they have an infrastructure that allows people to move through that city in a fairly easy fashion.

This investment being made in the budget in Move Ontario, the \$1.2 billion in public transit and municipal roads and bridges, is going to help to move people faster and more easily. It's going to help people get to their jobs quicker. It's going to help people get off the road, the ones who are taking cars because they don't want to use public transit, and get them back to the transit system and, hopefully, ease up on the congestion we have on some of our major roads and create an overall better public transit system.

I'm happy to see that's in the budget, and I'm happy the budget does what it does this time.

**Mr. John Milloy (Kitchener Centre):** I want to congratulate the speakers this afternoon who commented on the important budget that was discussed in this Legislature several weeks ago.

As a representative of Waterloo region, I was impressed with a number of the initiatives in the budget, partly because it addressed some of the needs of my community, which has a very strong high-tech community. In fact, Communitech, which is the local technology association that represents most of the high-tech players in Waterloo region, issued a press release, and I thought I'd share parts of it with the Legislature this afternoon in the two minutes I have.

"Communitech, the Waterloo region's technology association, welcomes the Ontario government announcement in last week's budget that it is making significant investments in two Waterloo-based research institutes and supporting the growth of innovative start-up companies in the province."

It goes on to praise the \$100 million the budget had for the University of Waterloo's Institute for Quantum Computing and the Perimeter Institute for Theoretical Physics.

It says, "Over the next four years, the province will also provide substantial support for start-up companies to assist in the commercialization of innovation. This includes \$46 million to help start-ups become investor-ready and assist them in achieving early stage milestones such as technical and market feasibility."

"The budget includes some fantastic news for this region," said Communitech President Iain Klugman. "It champions innovation at all stages from pure research to productization. The support for our two new world-class research facilities is phenomenal and we're very encouraged by the support announced for start-up companies, which often need some assistance to develop to a point where they can attract investors."

That is not me speaking. This is not some partisan document. This is the high-tech community association in one of the high-tech centres in this province pointing out what great support was in the budget.

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** I was really very pleased, and I know our community of Kitchener-Waterloo was very pleased, that the budget built upon the investments that were initially made by the Progressive Conservative government in the last term, and that was the initial funding that this government had provided to the Perimeter Institute. I am certainly very pleased to see the government move forward. It was an institute for which I had lobbied long and hard. Our government responded initially with an investment, and I was really pleased to see that type of investment continue.

The Institute for Quantum Computing: Our government had originally made an investment in that area as well. It's an area of extreme importance and interest to our community. I'm very pleased, again, that additional money was provided that certainly builds upon the foundation money that we put in place.

Our community is one where we do have a tremendous amount of innovation. We have a tremendous amount of entrepreneurial spirit, and certainly these investments are appreciated.



On the other hand, however, there were many, many people in our community who were extremely disappointed. I know that small business people in my community were really quite concerned that this government did not balance its budget but chose to deliberately continue to run a deficit in order that they could show a balanced budget next year. It's going to be additional interest that the taxpayers in Ontario are going to have to pay this year. Again, there was no relief, in any way, for small business owners, who are finding it more difficult, with rising gas and hydro prices, to make sure that they're continuing to employ people.

**Mr. Michael Prue (Beaches–East York):** I must say I was trying my very best. There was a subcommittee in the backroom, but the television was on and I was doing my very best to try to listen to the member from Pickering–Ajax–Uxbridge, as I always do, because he and I come from the same place—we were mayors and we were on all the same committees—and I always try to see where his head's at. I couldn't say that I listened to his entire speech, because I was trying to pay attention in there too.

**Mr. Berardinetti:** Good speech.

**Mr. Prue:** Yes, some of it seemed to make sense—at least the part that I heard—until he got to the part talking about the particular section of the act that deals with Ontario infrastructure. It's schedule I that indeed causes us some considerable grief and consternation in the New Democratic Party, because we know full well what schedule I of Bill 81 actually intends to do. For clarity, what this particular schedule is going to do is merge the Ontario Strategic Infrastructure Financing Authority and the Ontario Infrastructure Projects Corp. People might say, so what? So what that you're going to merge these two bodies. But I ask, within the body of this bill, why is the government doing it at this particular time? It is quite obvious to us why they are doing it. These are the teams that presently look at proposals, and they are simply the ones that oversee the RFP processes for public-private partnerships. I think that's where the government is going with this particular issue, and that's what twiggled my attention and made me stand up and notice what my good friend from Pickering–Ajax had to say. It's because that's what this particular section of the bill is. I have to tell you that we oppose what that provision says, and I think I have to say that I oppose that portion of his speech which was in support of this particular schedule.

**The Acting Speaker (Mr. Joseph N. Tascona):** It's time for oral response. The Chair recognizes the member from Pickering–Ajax–Uxbridge.

**Mr. Arthurs:** I certainly want to extend thanks to the members from Scarborough Southwest, Kitchener Centre, Kitchener–Waterloo and Beaches–East York, whether it was an acknowledgement of good work that was done by an awful lot of people who aren't in this House bringing forward the message we're delivering, but those who actually do the work, both ministry and ministers' staff from a great variety of ministries, and certainly the regional context mentioned by both the members from

Kitchener Centre and Kitchener–Waterloo in the context of the high-tech areas.

I will be the first to recognize that budgets are not one-offs. Budgets build, in some cases, on work that has goes before, and when that occurs, it should be acknowledged. They also set the stage for work that has to happen in the future. Certainly areas like Kitchener–Waterloo are ones that are high-tech and innovative centres and need to have the continued support of the provincial government in the years forward as well as they've had in years past.

1610

The member from Beaches–East York on the infrastructure matter: It was a central theme of the budget, and I suspect as we have a little more time to debate this bill, and a little more intentionally the section that he raised, it will be on the floor by our members.

I just want to take the last few seconds to comment that we are doing things that we feel are important. We're doing things on public health, we're doing things on transit and we're doing things on ambulance. We're interested in an issue we talked about earlier today: moving some of these social programs, more regressive types of taxation related to property tax, back towards a greater provincial ownership at the same time as providing municipalities with support in those kinds of initiatives that are more important directly to their service, whether it's providing of transit or fixing their roads and bridges. So we're looking to find some balance. We're trying to take back some of the responsibilities that are more socially-driven or public-service-driven and provide some additional funding to municipalities to support their infrastructure needs. It took us a long time to get to where we are. Getting back is going to take us a little longer than just one or two budgets.

**The Acting Speaker:** Time for further debate.

*Applause.*

**Mr. Tim Hudak (Erie–Lincoln):** Oh, thank you; you're so kind. God bless you. Thank you. Wait until you hear my speech and see if you applaud after—the Thursday afternoon before the Easter weekend.

It's a pleasure to rise in this assembly today to address Bill 81, the Budget Measures Act. I'll speak about various schedules in the act. My colleague from Beaches–East York already referred to schedule I, and there are others that I know will be part of his debate as well as mine. I will speak a bit about how we came to this place, and the overall financial policy, the overall financial mismanagement, by the McGuinty government will also be an important part of my remarks. I also want to stress, as many of us do here in the assembly, the overriding concern about the state of Ontario's economy, our growth rate and the rather lacklustre results that we've seen in Dalton McGuinty's Ontario, I would argue because of their runaway spending policies, their high taxes and fees and an energy policy that seems to change every day and is doing great harm to consumers' pocketbooks, the pocketbooks of seniors and is chasing jobs out of the province of Ontario.



I want to commend my colleague the member for Halton, for example, who has done an outstanding job watching the numbers. We regularly will get reports from his office about the GDP, auto sales figures and other economic variables. I know the member for Halton would often stress where we stand in Ontario. There has been a very disquieting theme where in so many different measures of the performance of our economy, like job creation or exodus of talented individuals from this province, Ontario, which had always been a lead province for our lifetime, now is middling at best, to near the bottom of the pack. I'll give you a couple of examples of what I mean. It's not just me and the member from Halton, although his statistics come right from Statistics Canada, the conference board and other such places.

Let me give you a couple of examples. The Toronto-Dominion Bank Financial Group provincial economic update—this is the very recent one, released February 17, 2006, so not too long ago. What did they say, Mr. Speaker? I know that you're a fan of the TD reports. You will recall that they forecasted that Ontario's annual GDP growth will be the second-lowest in the 2006-07 fiscal year, narrowly missing New Brunswick, which has the lowest projected growth. If you hear the Premier or the finance minister tell it, when they talk about jobs created in the province of Ontario, you would think that we would be way above the average, one of the lead places in Canada or North America. Certainly there was a time not too long ago, under the Mike Harris government, when that was the case, when our pace of job creation, and the total number of jobs as well, led Canada, and Ontario was one of the fastest-growing jurisdictions in all of North America, if not the fastest. We saw a boom in our economy. We saw revenues in the province of Ontario rise as a result, because far more people were working.

**Mr. Jeff Leal (Peterborough):** Tim, did you see the Star the other day? "Ontario Leads in March Job Creation"—

**Mr. Hudak:** The member says Ontario led in March job creation. But I say back to the member from Peterborough—

**Mrs. Witmer:** Did he look at January?

**Mr. Hudak:** As my colleague from Kitchener-Waterloo says, did you look at January? Did you look at the 80,000-plus manufacturing job losses that occurred in the past year? Well-paying manufacturing jobs.

I know that the member from Peterborough is not trying to be dismissive of the plight of our manufacturing sector, but the member cites one particular Toronto Star article. I think the member knows that in the midst of those jobs, in February there was a further loss of manufacturing jobs as part of that report. The member from Halton could probably tell me the exact number. My recollection was that several thousand manufacturing jobs fled Dalton McGuinty's Ontario at the same time.

I remind him of the size of Ontario's economy relative to the other provinces. You say that Ontario gained the most, but we have a much larger economy—not growing

as fast under Dalton McGuinty; we are losing that competitive advantage. We agree on that. But I'll repeat that the Toronto-Dominion Bank Financial Group provincial economic update forecasts Ontario's annual GDP growth will be the second-lowest in the 2006-07 fiscal year, narrowly missing New Brunswick, which has the lowest prediction. It is certainly not the province of Ontario that the member from Peterborough grew up in or the member from Ottawa-Orléans or I grew up in, where Ontario had generally been the engine of growth for this entire country, one of the fastest-growing jurisdictions. We had held that place as recently as a few years ago. In Dalton McGuinty's Ontario, my goodness, second-lowest, just slightly above New Brunswick.

**Interjection:** Doom and gloom.

**Mr. Hudak:** One of the Scarborough members, I think, said, "Doom and gloom." I know the member is very Pollyanna about these things, and if Dalton tells him something is good, he's going to believe it. He is one of the few who believes what Dalton McGuinty says, I would say, in the province of Ontario. So he suggests the Toronto-Dominion Bank Financial Group—

**Mr. Kevin Daniel Flynn (Oakville):** Hazel's happy; everyone's happy.

**Mr. Hudak:** The member talks about Hazel McCallion, who called their OMERS bill the biggest case of downloading in the history of the province, if I recall. So I'm interested to hear what Hazel has to say about OMERS, and I'm curious why they are raising Hazel's criticism of OMERS at this particular time; that sounds like what I'm hearing.

To get back to the point, it's disappointing that the members to my left are saying that the Toronto-Dominion Bank is gloom and doom. I think they'd look at the figures in a very quantitative manner. They're not saying this is gloom or doom. They actually look at the numbers and they say, "Here is how we rank relative to other provinces." I don't think you can say that this is particularly gloom and doom. It's simply the facts as seen by the TD Bank. But I say to the member of Peterborough, if you guys don't—

**Interjection.**

**Mr. Hudak:** So you don't use TD Bank; do you use Scotiabank? If you prefer Scotiabank to TD Bank, I will tell you what Scotiabank says.

**Mr. Leal:** I talk to the new employees at GE and Tim Hortons in Peterborough.

**Mr. Hudak:** The people in Tim Hortons in Peterborough would say they would be concerned about Scotiabank's provincial report, which describes that Ontario is still in the slow lane. The report observes that Ontario's GDP is expected to further decelerate by an additional 2% in 2006, placing the province of Ontario below the national average, which happens every year under Dalton McGuinty's—

**Interjection.**

**Mr. Hudak:** Well, I know the member from Perth-Middlesex seems to be satisfied about Ontario's poor relative performance, but members on this side are



certainly not impressed by the fact that Ontario would have the second-lowest—

**The Acting Speaker:** The member from Peterborough and the member from Perth—Middlesex—who is not in his seat, I believe—I don't want to hear any more comments with respect to the debate here. I'm having difficulty hearing it, and I want to hear it.

**Mr. Hudak:** Thank you very much, Mr. Speaker.

I think it gives us great pause when we see the banks noting Ontario's relatively weak economic performance under Dalton McGuinty, certainly when you see 80,000-plus manufacturing job losses in the province of Ontario. That should give all members concern. I know there is no doubt that Premier McGuinty in caucus will say, "Don't worry, be happy," and try to put his spin. But certainly the Toronto-Dominion and Scotiabank, among others, seem to take a different line of thinking when they are looking at Ontario's relative economic performance. I think there is no doubt that this is a reflection of their misguided hydro policy that's chasing jobs out of the province of Ontario. It's a reflection of their runaway spending that, you know, honest to goodness, would make David Peterson blush to look at the rate of spending increases in the province of Ontario under Dalton McGuinty.

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We thought the previous finance minister, Minister Sorbara, the member for Vaughan—King—Aurora, was a little loose with the purse strings. We saw, under Minister Sorbara, an 8% annual increase in spending when nominal GDP was increasing at 4% at best. Spending at twice the growth rate of the economy is clearly not sustainable. You know what? If you look at what Minister Sorbara did—I'll make you a little bet here, Mr. Speaker. I don't know if you'll take on my wager, but if you had Bob Rae, David Peterson and Dalton McGuinty lined up for a race on who was spending money at the fastest pace in constant dollars, who would win that race?

**Mr. Mario G. Racco (Thornhill):** The Conservatives would.

**Mr. Hudak:** No, no. The member from Thornhill says the Conservatives would. Well, no. If you look at the facts, actually Mike Harris had the slowest rate of growth for spending increases, then Ernie Eves' government, and then I think it was—I can't remember if Bob Rae or David Peterson was the place horse and who was the show horse.

**Mr. David Zimmer (Willowdale):** Careful; you're being partisan.

**Mr. Hudak:** No, it's the Canadian Taxpayers Federation data I'm using, actually.

*Interjections.*

**Mr. Hudak:** Oh, now they don't like the Canadian Taxpayers Federation. It's true. The word—

*Interjections.*

**Mr. Hudak:** This is interesting. My colleagues from Haliburton—Victoria—Brock and Beaches—East York make a good point: Dalton McGuinty was all set to get nice, close and personal with the Canadian Taxpayers

Federation when he signed their document to win votes during the election campaign. Oh, it was a cuddly little relationship that Dalton McGuinty—he showed a little leg there, a little wink, a little nod, a little nudge, and he said, "Listen, I'm going to sign your document, Canadian Taxpayers Federation. I believe in what you say. I'm going to fight for taxpayers." He put his arm around them, gave them a big hug, signed that document, and what happened? Dalton McGuinty's signature was not worth the paper it was written on. As soon as he got into office, he unceremoniously ripped up that document and spurned the Canadian Taxpayers Federation. Now they say, "We don't care about them. We don't care about"—

**Mr. Zimmer:** Partisan.

**Mr. Hudak:** What did you say? Did you say that they're partisan?

**Mr. Zimmer:** You're partisan.

**Mr. Hudak:** The member from Willowdale says I'm partisan. Well, I'm a member of the PC Party. But I thought I heard members opposite, who are not saying it now, say that the Canadian Taxpayers Federation is partisan. But not too long ago—

**Mr. Leal:** Let's hear about the Magna budget.

**Mr. Hudak:** I'll get to that.

Not too long ago, you wanted to be best buddies with them. I hate to dwell on the topic, but Dalton McGuinty has a very, very bad reputation for breaking promises. The members opposite brought up the Canadian Taxpayers Federation and how much they liked them, but now they're partisan.

Dalton McGuinty made some very solemn promises to the Canadian Taxpayers Federation. I would say that Dalton McGuinty cynically made campaign promises that he knew he couldn't keep or had no intention of keeping, and then once he had the keys to the Premier's limousine, boy, those promises went right out the window as fast as they could. Picture it: right there on the 401, the promises out the window—which meant, as a result of breaking his promises to taxpayers and the CTF in particular, that taxes have now gone up exorbitantly. In fact, the biggest tax increase in the history of the province was under McGuinty.

There is no commitment whatsoever to balancing the books. I think Dalton McGuinty did say he'd balance the books each and every year. Well, he's broken that promise each and every year. I'm sure there were many others that were part of that—oh, yes, in terms of transferring new taxes to other agencies or levels of government. This is another part of the—

*Interjection.*

**Mr. Hudak:** The member wants to avoid, now, the Canadian Taxpayers Federation, but it's true. Another aspect of that document that the Premier signed—what was going through his head at the time? He was signing that document and he was thinking, "Boy, suckers. I'm signing this and they're going to back me, and eventually I'm going to break these promises." Yes, I think he did; I think he knew at the time that he had no intention of keeping those promises.



At any rate, I don't mean to dwell too much. But the point I was trying to get across was that if you lined up Dalton McGuinty with Bob Rae and David Peterson and you asked who could spend money the fastest, Dalton McGuinty would beat them hands down: an 8% average increase in provincial spending under Greg Sorbara.

Then the new finance minister, Dwight Duncan, comes into office. Minister Sorbara resigns and Dwight Duncan comes in as the new finance minister. Not to be outdone by Greg Sorbara, what does Dwight Duncan do with his budget? Remember, it was an 8% increase in provincial spending under Finance Minister Sorbara. Do you think Dwight Duncan's increase in spending was higher or lower?

**Interjections:** Higher.

**Mr. Hudak:** Higher.

**Interjection:** Neutral.

**Mr. Hudak:** No, it wasn't neutral; hardly. Members here were correct: a 9.2% increase in program spending. I mean, this would make Bob Rae blush. Well, Bob Rae is over there now, but he would still blush at that kind of a spending increase. I'll get to some of the numbers here. So a 9.2% spending increase. They faced a clear choice in this past fiscal year, 2005-06, a very clear choice: whether they could balance the budget or go on a last-minute, mad money spending spree.

We actually brought forward a projection, and I think the NDP had similar numbers, that thought they would probably have between—what did we think?—\$2 billion and \$2.5 billion in extra money at the end of the year. We expected that money at the end of the year, and there's a reserve in there as well. You could add on another \$1 billion for the reserve. The deficit was, without reserve, \$2.4 billion. They could have balanced the budget, in fact, twice over. But instead of dedicating that money towards balancing the books, this end-of-year money—let me go back a second. If the average working family in the province of Ontario received money at the end of the month that they weren't expecting, they would use that money, I would argue, to pay down credit card debt. They wouldn't go on another spending spree and run up that debt even more.

But instead of using the finances in a fiscally responsible manner, they went on a mad money spending spree. The problem with mad money spending sprees—aside from being mad money spending sprees by definition—is that if you're spending money the last few weeks of the year, you basically get it out the door with no questions asked. There are no strings attached to that funding. The auditor actually slammed the previous Liberal budget, which was a Sorbara budget, for I think it was about \$1 billion that was sent out the door, no questions asked, no strings attached, the last few days of the fiscal year.

Dwight Duncan is not one to be outdone. He wanted to surpass Greg Sorbara in overall spending increases and he also decided to surpass Greg Sorbara in end-of-year mad money. They ended up spending the vast majority of those funds in the last week, last couple of weeks, some

in the last couple of days, heading into March 31, the end of the fiscal year. We've seen some rather amusing, in a sense, but disappointing at the same time, responses now from the Minister of Finance and the Minister of Municipal Affairs and Housing with respect to money supposedly allocated for roads and bridges. I think members of this assembly know that there are no strings attached to that money. I think the Minister of Municipal Affairs himself told the Kingston Whig-Standard that that money could be used for an entertainment centre of some kind. I apologize; I don't remember the details off the top of my head, but the Minister of Municipal Affairs basically said that money can go to the roads and bridges but also to an entertainment centre, a cultural centre of some kind. Then the Minister of Finance said, "No, that's not the case; it's roads and bridges," in his unique style.

Then we asked another question today. The member for Lanark-Carleton asked about money that was transferred to a couple of counties that were actually not responsible for a single road or bridge, and the Minister of Finance would say, "Oh, that's going to roads and bridges." The Minister of Finance, I think, basically admitted today that that was a bunch of horse feathers, if that's parliamentary; that this notion that the Minister of Finance said that this is going to go to roads and bridges is really horse feathers. Is that—

*Interjection.*

**Mr. Hudak:** Horse feathers. Is that okay? So that's the problem with end-of-year spending: There are really no controls. I'll be very curious about what the Provincial Auditor has to say about some of the spending that was done at the end of the year. I'm sure there will be all kinds of other examples that we uncover.

I know from my colleagues who represent other grape-growing and winery regions that there was some end-of-year money that went directly to the wineries. I would ask if the members opposite know how much consultation was done with the Wine Council of Ontario on how that money would be divided up.

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In the absence of any comments from the members opposite, the answer is zero hours, nil, nought, none—not a single hour. Basically the wineries started getting cheques in the mail and there weren't strings attached to the cheques. They're direct grants to businesses. There aren't strings attached to that money. The wineries started calling among themselves, trying to figure out, "How did I get \$500 when my colleague down the street received \$50,000 or \$100,000?"

So it turns out, I guess, that the Ministry of Finance officials sort of huddled in the backroom, knew they had to get the money out the door before March 31 and basically made up their own formula, which has caused a significant schism in the wine industry. The wineries would say, "If we knew the rules of the game ahead of time and competed for those funds, that would be very fair. We would know what the rules are and make our decisions accordingly. Do we sell to the LCBO? Do we sell locally? Do we sell to restaurants?" etc.



Instead, the government, on the back of a napkin, created a plan, and sure, there are some winners and some losers in that, but I think the industry as a whole has said, "It would have been much better if you had asked us the best way to invest that funding, if we had given some advice on the formula, and then we could have made our decisions accordingly." So there are some rather curious results out of that. I know there are a number of small and medium-sized wineries that are quite upset, to put it mildly.

The problem, too, is that at the end of the day, if we had some sort of forensic investigator, it would be related somehow to LCBO sales. The problem, as my colleagues in the grape-growing area know, is that the current LCBO system discriminates against the small craft wineries. They don't have the same opportunity to put their wines on the shelves of the LCBO. So what the funding did was exacerbate an existing situation where the small craft wineries are on the outs, and those that received the smallest amount of money were the small craft wineries.

I would say to members opposite that the best long-term solution to this issue is not, in the last couple of days of the fiscal year, throwing some cheques into the mail and hoping for the best; the best thing would be to open up a parallel system, like my Bill 7 proposes, of VQA Ontario wine stores. That would give greater market access and greater exposure to our outstanding small and medium-sized VQA producers, and that would be a long-term and a real solution to the problem rather than this end-of-year mad money.

Anyway, many people have caught on to this issue about the end-of-year spending. I look forward to what the auditor has to say in his advice when he looks closely at the province's books.

*Interjection.*

**Mr. Hudak:** They did. They effectively cooked the books. It was pretty smoky in here that day, Mr. Speaker, as you may recall. I think we had to open the windows up there to clear some of the smoke out. But they cooked the books, the member for Peterborough says, to intentionally run a deficit and decided to spend money that would make a drunken sailor embarrassed. At least drunken sailors spend their own money. Dwight Duncan and the Ontario Liberals spent taxpayers' money like it was going out of style. It sets us up for tremendous challenges that—

*Interjection.*

**Mr. Hudak:** Well, the member for Don Valley should share that concern, that you can't continue to spend at twice or more the growth rate of the economy. This is what happened under David Peterson, right? It's David Peterson déjà vu all over again. My colleagues from the NDP came into office, and David Peterson had spent so much money, made so many commitments, that when he was finally given the boot they had a huge deficit—I think it was about a \$6-billion or \$7-billion deficit—as a result of the mess David Peterson left behind, because he couldn't control spending. He couldn't. You must agree

with that, at least. David Peterson could not control spending. I think so. I think that's true.

Let me read some of the third-party comments. We'll start with some comments from journalist Linda Leatherdale, the money editor of the Toronto Sun—

*Interjections.*

**Mr. Hudak:** Liberals laugh, which is unfortunate, at Linda's mention, but Linda has been a very strong champion for taxpayers and property owners in the province of Ontario and has a tremendous following.

Ms. Leatherdale, in the Toronto Sun, said: "Budget Sticks It to Us

"With \$3 billion in Extra Cash, the Liberals Blew It All and Increased the Net Provincial Debt....

"But rather than return money to taxpayers' pockets, he's keeping our money for an election war chest next year."

I don't think I can repeat the Toronto Sun headline of that day, actually. It says: "Give Us Our @#! Money!" I'm not sure exactly how you would pronounce that, but I think it's showing great upset—that series of symbols. "Give Us Our @#! Money! McGuinty Thinks He Knows How to Spend Your Cash Better Than You Do."

We were talking about the Canadian Taxpayers Federation a bit earlier. John Williamson—I'm curious what he says now about the McGuinty government after all the broken promises. Mr. Williamson said: "Is this deception or incompetence? Obviously the spending projections for 2006 should not be given much weight. The government says its spending will increase by less than 2% this year, but based on its spending record, I do not believe this target will be met—certainly not in an election year."

There's no doubt. I'm talking quite a bit about the 2005-06 budget and the end-of-year spending. So I'm talking a lot about the 2005-06 fiscal year.

I'll say to the minister's staff, there really was no 2006-07 budget, right? While the document may say "2006-07 budget," there really was no 2006-07 budget, because all the spending that they boast about was back-ended into 2005-06, and they have a bunch of phony projections for 2006-07 that will be very far from reality.

*Interjection.*

**Mr. Hudak:** I'll bet you on that. We'll talk about it later, but if you guys come close to 2% spending growth, I think it'll be interesting to see what kind of bets we can have.

Ashley McClinton, the director of government relations to the Retail Council of Canada: "We are somewhat disappointed the Liberals have consistently chosen to increase spending rather than putting money back into the pockets of Ontarians."

Jeffrey Simpson, Globe and Mail: "The McGuinty Liberals Just Keep Spending."

Let's see. What else can I say? Those are some journalists and the Canadian Taxpayers Federation.

Wayne Samuelson of the Ontario Federation of Labour, in his news release said: "The Liberal budget document actually admits that their energy policies have caused the



loss of countless manufacturing jobs in Ontario. This is the biggest loss of manufacturing jobs since the 1990s."

My colleagues from the Liberal Party say that that's gloom and doom. It reflects the facts.

"This budget document has no strategy, no plan or any indication that the government intends to take any kind of an active role in dealing with the crisis of the countless loss of jobs and livelihoods here in this province. We know the government has the money. Why aren't they using it to handle this job loss crisis?" Mr. Samuelson's comments.

Wayne Fraser, the Ontario director of the United Steelworkers, said in his news release: "Government coffers are overflowing because of record corporate profits, but Premier Dalton McGuinty is missing in action when it comes to helping our crucial manufacturing and forest products industries."

The Windsor Chamber of Commerce: The minister himself, obviously, comes from the Windsor area. I don't know if there's a tradition in the House for the minister to be here for bills or at least the critics' response to those bills. I don't know if that's a tradition or not. If it was, it seems to be an un-tradition. It no longer seems to be happening when it comes to finance bills. I think my colleague will probably agree with that.

**Mr. Leal:** The PA is here.

**Mr. Hudak:** I'm glad the PA's here, because they're making him work awfully hard because the minister does not appear to be in his seat at this point in time.

Let's talk about Windsor a little bit. I was talking about the minister, who may be on his way to Windsor right now. The editorial in the Windsor Star, in reaction to the budget, said the following: "Ontario Finance Minister Dwight Duncan was sent to Queen's Park to represent local constituents but appears to have deserted them in favour of new-found friends in Toronto, judging by the budget he delivered Thursday." Ow; that has got to hurt. If you come from the Windsor area and you're the finance minister, you're thinking you're something, right? Then your own newspaper, the editorial, says, "Ontario Finance Minister Dwight Duncan was sent to Queen's Park to represent local constituents but appears to have deserted them in favour of new-found friends in Toronto, judging by the budget he delivered Thursday." Ouch.

**Mrs. Witmer:** That hurts.

**Mr. Hudak:** That has got to hurt.

I think it's a fair comment, you'd have to agree, by the Windsor Star. If there's anything that the majority of coverage of this budget noted, it was that Dalton McGuinty basically took a bomb and threw it into the divide between the city of Toronto and the rest of the province.

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The Premier's electoral strategy is very clear. The election is next year. There are a lot of people who live in the city of Toronto and a lot of people who live in the cities next to Toronto, and therefore they have a lot of seats. No doubt, by spending such huge sums of money—no, they're actually not really spending it; let's

be clear. Things like the subway are promises, and we know what Dalton McGuinty usually does with his promises—they're promises for sometime down the road.

So Dalton McGuinty and his cabinet made a choice to target the votes in the largest cities, and I understand that because there are a lot of seats in that area. They're willing to cast off some members outside of Toronto as long as they maintain their majority in the area. The problem with that is, while it may make sense mathematically, any good Premier, any responsible Premier, any Premier who is up to the title of being Premier of the province of Ontario, is going to strive to achieve a balance between the needs of the capital here in Toronto and the needs of northern Ontario, the needs of rural Ontario and the agricultural community or Ottawa and other parts of the province, or Windsor, for example. But certainly Dalton McGuinty instead chose a very narrow focus that throws a lot of money—well, actually, promises to throw a lot of money—to try to win seats but ignores vast parts of the province of Ontario, and you can see that reflected in the Windsor Star.

The Ottawa Citizen wasn't too happy about this either. Let me read you what the Ottawa Citizen said:

"During bad times, you run deficits to stimulate the economy. During good times, you pay down debt to be ready for those times when you need money.

"That might be the primary problem with the budget Ontario Finance Minister Dwight Duncan released yesterday.

"The province produced \$83.9 billion in tax revenues last year, about \$2.25 billion more than expected."

**Mr. Phil McNeely (Ottawa-Orléans):** Conservative rag.

**Mr. Hudak:** The member for Ottawa-Orléans calls the Ottawa Citizen a Conservative rag.

**Mr. McNeely:** And I stand by my statement.

**Mr. Hudak:** And he stands by his statement. Nonetheless, I think that most people who read the Ottawa Citizen would think it's an outstanding newspaper, and they may take exception to what the member for Ottawa-Orléans just said.

**Mr. Peter Kormos (Niagara Centre):** So he wants the Sun?

**Mr. Hudak:** The Ottawa Sun might be his preference.

"The province produced \$83.9 billion in tax revenues last year, about \$2.25 billion more than expected."

I've got to ask you this: How is it possible that that much additional revenue came into provincial coffers when, only a few weeks before, Dwight Duncan was crying poor? It's either incompetence or that what he said one time—

**Interjection:** Prudent management.

**Mr. Hudak:** Good management? Who said that one? That's bizarre.

**Mr. John Wilkinson (Perth-Middlesex):** Prudence.

**Mr. Hudak:** You can't say "prudence" either. He cooked the books. Just admit it. Just admit it.

**Mr. Kormos:** I think Duncan was Harnicking. Duncan did a Harnick right here in the House.



**Mr. Hudak:** My colleague says, “Duncan did a Harnick.”

The third quarter—I think members know this. In every quarter, or quarterly, the ministry, in various documents, will release the state of the finances. The third-quarter statement, the economic update, which was for the period ending December 31, 2005, released in late January 2006, was a bunch of nonsense. I know that there are ministry staff, civil servants at the Ministry of Finance, for whom we have tremendous respect in this assembly, who are probably feeling a little bad about what they were forced to do, or maybe it was the minister's office that cooked those books. But my goodness, the huge difference between what was in the third-quarter update and then the budget about revenues coming into the province is absolutely incredible.

**Mr. Milloy:** What about the Magna budget?

**Mr. Hudak:** You guys have to come up with some more original lines once in a while. Member from Kitchener, you must be concerned. When the Ministry of Finance documents come out from your minister, you'd expect them to be accurate, wouldn't you? You'd expect them to be true; you'd expect them to be up to date. I don't have the number in front of me right now, but in my releases we talked about the incredible increase in revenue that magically appeared in February and March that then was spent in the last couple of weeks of March. It is disturbing to see what the minister has done to the third-quarter finances, because you just basically can't trust what's in there if there's that much variance in just a couple of months' time.

This minister is also obscuring their financial projections as well. Traditionally we would see in each tax year the expected revenue as well for future years. Now this minister, for the first time in the history of the province, as far as I know, has eliminated that projection in just one large lump sum, again obscuring information that is available to members of this assembly, to members of his own party or to the general public.

**Mrs. Witmer:** Lack of transparency.

**Mr. Hudak:** It's a lack of transparency, as my colleague says, no doubt, and done intentionally, which is very upsetting, very disconcerting. I think members too should probably have some concern about the change in accounting practices that was done. There was a lack of full transparency in doing so. It makes comparisons from 2005-06 to future years, or 2004-05 projections for 2005-06, very difficult to ascertain. I hope that my repeated requests to be briefed on the state of the finances, as commonly granted to my colleague, who is now the Minister of Government Services, will be made available to the finance critics. Again, the lack of transparency continues. We are repeatedly denied those opportunities, which is very unfortunate.

Before I proceed with some detail on Bill 81, I want to also note a number of things on which we've seen some disconcerting lack of progress. The Mortgage Brokers Act was introduced not too long ago. I think it was intentionally promised to be introduced in the fall or

winter of 2005. Like I said, if Dalton McGuinty makes you a promise, watch your pocketbook. You really can't believe all those promises. Anyway, the mortgage brokers were expecting the act to be introduced at that point in time. It was finally introduced a few months late. The Minister of Finance made a bit of a show, where he spoke about wanting to make sure that all members of the assembly got behind it to accelerate it and make sure it was passed in a timely manner—something like that. They haven't called it for second reading—not even a single minute of debate for second reading on the Mortgage Brokers Act. So we certainly hope to see the minister put his money where his mouth is and at least call that bill for second reading.

**Mr. Leal:** Are you supporting it?

**Mr. Hudak:** The member asked if I'm supporting it. I would actually just enjoy hearing some debate about it. If it's such a priority for the Minister of Finance, you wonder why he wouldn't call it for second reading. Maybe because he was so busy spending all that end-of-year money, shovelling it out the door as quickly as possible. The only thing restricting him was his ability to sign the cheques. Otherwise we hope to see the Mortgage Brokers Act move forward soon.

Bill 76, the Business Corporations Amendment Act, one of my private member's bills, would have extended the tax benefit to veterinarians. I expected it to be part of this budget or that we'd see Bill 76 move forward. I think members of the assembly probably all agree on Bill 76, but unfortunately no progress in that respect as well. Nor have I heard—and maybe I just missed it; it's tough to keep track of everything all of the time. But I hope that this Minister of Finance will convey the tax benefits that the previous minister extended to doctors and dentists to other health care professionals. We have not heard about any progress to date, which is also unfortunate.

I'll call members' attention as well to Bill 46, which is my private member's bill to amend the Ontario Securities Commission act, which—

**Mr. Leal:** Oh, that's not the Homestead Act.

**Mr. Hudak:** Well, we did get some attention to the Homestead Act. The member from Peterborough supported it, and I do appreciate his support of that act. If you listened to the finance minister yesterday, he seemed to be telling members of his party not to support the Homestead Act. But I was pleased to see that 11 of them rose today in defiance of the finance minister's bluster and stood up for their constituents in support of the act, and I appreciate the member from Peterborough being one of those. We saw a different tone from the finance minister today. I hope that because of the fact that members of all three parties voted in an overwhelming fashion in support of the Homestead Act, we will finally see some action in this respect. I think we will. I think the minister can resist for only so much longer the will of his caucus and the will of the Conservative Party and that of my colleagues in the NDP.



1650

The other piece I want to note for the record while discussing Bill 81 is the lack of progress on the credit union legislation. This is an expectation that I think many of us in the assembly had, that we would see some progress in that area. I know that members in that profession are anxious to see legislation move forward. My colleague from Oak Ridges has been very interested in this legislation, as well, to put the credit unions and caisse populaires on a level playing field with the powers enjoyed by their colleagues or like organizations in other provinces. It seems, unfortunately, to be behind schedule. I wanted to take this time to call attention to that and to ask the minister to kindly get moving on those various pieces of legislation that are important to those communities and, I'd suggest, important to the province as a whole.

Another item that is missing from Bill 81 that was a budget initiative is the tax increment financing promise. The TIF, which is common in the United States of America, is basically a property tax scheme that allows municipalities to borrow against future assessment increases to finance development today. I know my colleague the Minister for Public Infrastructure Renewal has spoken about this on many occasions. I would expect that many of his colleagues would like to see something move forward to help redevelop brownfields. There have been certain degrees of success with this type of tool in the United States.

I was pleased to hear it mentioned in the budget. It had been some time since I heard the Minister of Public Infrastructure Renewal talk about it, before we heard it mentioned in the finance document. I note, though, that it's not included in Bill 81, and hopefully it will get there. I know you can't put everything in this bill. I expect the minister's working on that and we'll see it before the House shortly.

**Mr. Leal:** He's working hard on that one.

**Mr. Hudak:** I hope so because there are a few things I mentioned that I'd like to see a bit more work on, and the TIF as well as mortgage brokers and credit unions, among others, fit that category as well.

**Mr. Arthurs:** Put your priorities on the top of the list.

**Mr. Hudak:** I hope so. Thank you. Put your priorities on the top of the list. The Homestead Act: As we saw, a number of members supported it today in the assembly. I hope the minister will take up my offer to meet in the very near future to move that legislation forward.

Schedule C, the Community Small Business Investment Funds Act, deals with labour-sponsored investment funds. We've had a few twists and turns on this, so I'll looking forward to a debate from the parliamentary assistant and other members of the government caucus to help us follow the various twists and turns that have taken place. The previous Minister of Finance had announced cancelling these instruments. There was a public outcry and they backed down and made some changes. Now we see further changes taking place under schedule C. I look forward to debate and advice from

those who invest in LSIFs if the government now has it right. Hopefully, they've reached a point of stability instead of the significant changes we've seen in the treatment of LSIFs that cause concern in the investment community. Many retail investors, for example, are concerned about that.

Schedule D, Corporations Tax Act—enhancing Ontario production services tax credit. We had some deputations on this matter at the finance committee, as my colleague from Pickering–Ajax–Uxbridge will recall. The animation studios particularly had come forward asking for improvements to the tax credit. I know my colleague and leader of the Progressive Conservative Party, John Tory, had pushed very successfully for enhancements to the tax credit that we saw reflected previously. I'm pleased to see his support seems to be bearing fruit in aspects of this budget.

Now what was it? Was it D also, accelerating the Ontario capital tax rate cut? “The government enacted legislation in 2004 to enhance Ontario's investment climate by gradually phasing out the province's capital tax at a pace that enabled the funding of key”—okay. “This capital tax elimination plan included increases to the deduction, followed by reductions to the capital tax rates until the tax is eliminated in 2012. The deduction is being increased from \$5 million in 2004 to \$15 million in 2008, which will have the effect, by 2008, of exempting more than 14,000 additional corporations....”

This is another curious story, because Finance Minister Sorbara, in his first incarnation, was strongly opposed to the reduction of the capital tax; at least it seemed so by his actions. There was a plan, as you know, under the Progressive Conservative Party to eliminate that tax and phase it out. There was also a plan at the federal level under the Liberal Party of Canada to similarly phase out the capital tax rate, for good reason: to help create jobs and investment in Ontario. Certainly the manufacturing sector particularly would benefit from this, and I mentioned earlier the concern we have about the flight of manufacturing jobs from Ontario.

But as part of the bill—it's been a while, so correct me if I'm wrong—that had the biggest tax increase in the history of Canada—or at least the province of Ontario, and probably Canada—by Dalton McGuinty, despite campaign promises to the contrary, the capital tax schedule was eliminated and pushed far back. I think it was eliminated. Then the second incarnation of Minister Sorbara brought it back, but in a bit of a wishy-washy way, and it would be deferred down the road; I think in the 2008-12 schedule—another one of these promises that eventually it will happen. And now we have the third incarnation of the capital tax rate cut under Finance Minister Duncan, which is actually a very small move. I think it's a way of saying that they've tried to do something on manufacturing jobs, but in reality, a very small move, a very tepid step, a very flaccid response to a serious problem.

I'm always pleased to see tax reductions as part of a budget, but for businesses that are thinking about invest-



ing in new machinery, new plants in Ontario, that are going to put their capital and their faith in the province, certainly these to's and fro's of policy, these three changes under the Dalton McGuinty government, are entirely unhelpful, because they don't provide stability. It's unfortunate that we've seen so many changes, and who knows what we'll see in the next budget with respect to the capital tax.

Schedule E, the Gasoline Tax Act, supporting Ontario ethanol production: It's interesting; I didn't hear much about this: Ethanol would therefore be subject to the same tax treatment as gasoline. I don't think that's well known across the province, among corn producers, for example. Maybe it is, but I certainly haven't heard much about it. I have not heard members on the government side talk about the fact that now ethanol will have the same tax treatment as gasoline, meaning higher taxes on ethanol.

I will say to my colleague, the Minister of Natural Resources, that we'd like to hear more about schedule G, whether that's through a briefing or his discussion in the House. The minister's purpose is not entirely clear in schedule G and we would like some more detail there.

Schedule H was curious, I say to my friend from Brantford. Schedule H was a curious addition to Bill 81. Schedule H, the Municipal Elections Act and related amendments to other acts, is the proposal to increase the terms of municipal councillors to four years from three. It's mixed in my riding. In my riding of Erie-Lincoln, some municipal councillors like this provision. They would like the extra year because they feel it would give them a bit more time to make changes, if necessary, or learn on the job if they are new. On the other hand, there are other councillors and mayors who don't like the extension. They think three years is appropriate and feel that some may not run again for office, or run for office, because four years is a longer commitment. So I would say it's a mixed reaction.

The point I was going to make here is that I think Premier McGuinty was pretty nervous going into ROMA—it was ROMA, right? I remember last year being at ROMA when the Minister of Municipal Affairs, John Gerretson, was heartily booed by the delegates. The Liberals had some policy positions that were very poorly received by ROMA. The minister was booed, and I think Premier McGuinty was nervous about that. That's not good optics, right? But he didn't have—

**Mr. Leal:** They gave him a standing ovation.

**Mr. Hudak:** No, he didn't. He didn't have much to talk about in support of rural Ontario. As we talk about the contents of the budget, we're very focused on the largest city. There was very little to boast about if you came from rural Ontario. So I think the Premier had to roll something out and just sort of pulled out the four-year term. It might have been better received at AMO than ROMA. It was sort of a mixed reaction at ROMA too, am I right? Sort of a mixed reaction.

1700

But what's curious is that it's part of the budget bill under schedule H. I think, because of the reaction that varies across the province, within municipalities and on a regional basis, it would behoove us to have this as a stand-alone bill for debate in the assembly. I do hope I have my colleagues—the minister could facilitate that. I would think my friends in the third party would facilitate that. I will put that request on the floor, for schedule H to stand alone, because I do worry. Budget bills, by their nature and the nature of budgets, are comprehensive documents, right? I worry that we will not have extensive enough debate on schedule H, the amendment to the Municipal Elections Act, 1996. I do hope—

**Interjection:** Are you running for mayor of Burlington?

**Mr. Hudak:** Well, if there are potential candidates, they would probably enjoy having an opportunity to speak to the bill, right? They would probably enjoy the opportunity to have it as a stand-alone piece of legislation.

I'll skip through a couple more. Schedule K, the Ontario Municipal Employees Retirement System Review Act, the OMERS bill, you remember, from not too long ago: There's a great deal of controversy, to put it mildly, surrounding the OMERS bill. Sid Ryan, the head of CUPE, had negotiated for a review of OMERS and its impact on various employee groups for 2012. My recollection at the time from Mr. Ryan was that it was to be a stand-alone bill. Maybe I misheard. But this has been buried in a finance bill. I think the government doesn't want to talk about their OMERS bill anymore, and the controversy surrounding it. So it's buried there as schedule K of the act. I was going to say Special K, and then it all went bad from there.

I know my colleague from Oshawa asked a question in the House about a further schedule which doubled the retail tax rebate for hybrid electric vehicles. He had a concern about Ontario-made automobiles and how they would fare under that regime. I know he will have more to say about that. He's a very strong defender of the auto industry in the Oshawa area and he gets great support from autoworkers in his community. I won't belabour that point.

I think as my time winds down, I'll go back to some of the bigger-picture issues. There are parts of this bill that I hope will be taken out as stand-alone. There are other bills before the assembly today, or expected before the assembly, that we would like to see actually have time for debate in the assembly. I'm pleased that the minister is seemingly interested in the Homestead Act and I look forward to working with him to see those principles, like a 5% cap on assessment growth as long as home ownership is maintained, or the \$25,000 deductible for home improvements without facing a reassessment, or the break from paying property tax on the first \$10,000 for seniors and the disabled. I was happier with the minister's tone and appreciate the 11 members opposite, as well as my own colleagues and the NDP, who sup-



ported Bill 75. We look forward to seeing that go a bit further.

We launched the official opposition *McGuintywatch.ca* as well. For those colleagues who had a chance to view *McGuintywatch.ca*, it's an opportunity to keep a close watch on the bottom line of the McGuinty government and a chance for taxpayers to send in their concerns about government spending. We actually had a contest as well for people who could get closest to the amount the Liberals would spend more than they had projected. We actually had about 50 responses to that, and I look forward in the near future to having a bit more fun time with the winners of that contest. I hope the Minister of Finance will take up the invitation to dine with them because they were the closest.

**Mr. Leal:** It's always good to hear from your brother-in-law.

**Mr. Hudak:** No. Mark did not enter the contest. I don't even know if he knew about it. He doesn't follow politics as closely. He's smart.

We had 50 individuals who specifically went into this particular contest. Let me tell you, *McGuintywatch.ca* predictions were right on the money. We had projected that the end-of-year windfall, the money they would receive more than they projected they would—they kind of hid it, right? It's in their pockets. The Ministry of Finance really hid how much money they had coming in. We estimated it to be about \$2.5 billion, and in reality it was \$2.9 billion. The Minister of Finance had said, "Oh, no. We don't have anything like that. It's much lower." In reality, it was higher: \$2.9 billion in end-of-year windfall.

Additional revenue from taxes over the budget plan: We projected about \$1 billion. In fact, they had \$1 billion more from personal income taxes alone than they had projected they would receive. I think they actually hid how much they were receiving. To be honest about it, they purposely low-balled how much would be coming in in revenue.

End-of-year spending spree: \$2.5-billion projection. The McGuinty Liberal budget actually had about a \$2.5-billion spending spree. *McGuintywatch.ca* was right on the money.

Could the government have balanced the budget in 2005-06? *McGuintywatch.ca* projected yes. The answer was, in fact, yes, but they chose to spend instead. They said they had about \$2.9 billion in end-of-year money, but instead of using that windfall, if you will, to balance the books, they chose to spend it, penny after penny.

Could they have cut income taxes in 2005-06? Obviously, yes, they could have done so. They had plenty of money, actually, to balance the books and then some left over. But no, they chose not to. They could have cut taxes, but chose not to. They decided to spend instead.

Was there BPS consolidation? Was the broader public sector, like colleges and hospitals, brought on the books in the budget? *McGuintywatch.ca* had projected yes, and in reality, yes—not a bad guess.

Program spending growth last year: We had projected about 8% for 2005-06. It seemed reasonable. You remember from my remarks about 40 minutes ago that the average spending increase under Minister Sorbara was 8%. We had guessed that Dwight Duncan's first budget would be a similar amount of 8%. In fact, they exceeded it: 9.2%.

Let me make one last, general comment. I call it the \$23-billion gaffe. Premier McGuinty has made much of the \$23-billion gap, to use his term, in terms of how much money the province of Ontario sends the federal government and does not receive in return. They recently met in Montreal to discuss the notion of a fiscal imbalance. I think that this recent budget, with its intentional deficit, with its runaway spending, with its end-of-year spending spree and a 9.2% increase in program spending, blew a big hole in Ontario's case with the federal government. It's almost like somebody buying a new suit, new shoes and a new car, then going out and begging for money with new cap in hand.

Dalton McGuinty already has a major credibility problem. Let's face that fact. But if you're going to Ottawa asking for more money and you come up with a budget like this that has no notion of fiscal responsibility whatsoever, you wonder how successful you're going to be.

There was also much talk in the papers about not this but the meeting before with Prime Minister Harper and the Premiers, where Dalton McGuinty walked into the room and said that Ontario is more equal than all the other provinces.

**Mr. McNeely:** You're not in favour of getting some of that gap back?

**Mr. Hudak:** The member says, "Are you not in favour about the gap?" Absolutely. We support addressing the case of fiscal imbalance. It's getting awfully hard, though, to support Dalton McGuinty when your top salesman for the province of Ontario breaks promises, quite frankly, can't really be trusted to keep his word, and then goes on this kind of spending spree. How can you honestly make the case with the other provinces or the Prime Minister when you exhibit that kind of behaviour? It does not exactly engender trust.

1710

Is there any effort to try to get the other Premiers on the same page? You would think that if you actually wanted to address a fiscal imbalance, Ontario would play a leadership role, bring other provinces together and then, with the weight of the provinces on side, make a difference and bring about change. But in that last meeting in Ottawa and in his most recent meeting in Montreal, Dalton McGuinty has isolated himself. There were some comments there about not being trustworthy from others who were at that meeting. I think that one of the biggest tragedies of this budget is that Dalton McGuinty put a major hole in Ontario's case.

We're trying to support the Premier, trying to support the case. It's getting awfully hard to do so when you see this kind of budget and when you see this sort of Jekyll



and Hyde management style. We all know the good cop/bad cop routine; we used to do it down at customs, right? But the same person cannot be good cop and bad cop. You can't say, "Oh, Steven Harper, Jim Flaherty and John Baird are my best buddies," and the next thing you know, you're cutting them up publicly. I don't know if that's going to work. So the Premier's Jekyll and Hyde approach, this spending spree of a budget, and then just bizarre behaviour with the other Premiers has put a major hole in Ontario's case. We do hope there is success, but it's getting awfully hard to put faith in the Premier when he has a credibility problem.

He has a credibility problem with keeping his promises and a credibility problem with making the tough decisions that other provinces have done. Did you know only two provinces in Canada are running deficits? Prince Edward Island and Ontario. That's it. Everybody else is making some tough decisions to make sure that they balance or have surpluses. We're with Prince Edward Island in Ontario.

I hope the members were listening to me just a while ago about the massive end-of-year money that they could have used to balance the books but instead intentionally ran a deficit.

**The Acting Speaker:** It's time for questions and comments.

**Mr. Prue:** As always, it is a pleasure to listen to my friend from Erie-Lincoln. As I've said other times, and I'm sure I will say again, I don't always agree with his analysis but I always like the way that he is able, for a whole hour, to look at an entire budget and, point by point, bring his own critique to that budget. He brings up some very good points. There are two—because I only have two minutes—that I'd like to seize upon, not so much that I agree with him but in fact because I disagree with his analysis.

The first one is on the capital tax schedule. I do agree with him, of course, that the former finance minister, Mr. Sorbara, when he first came to this House, delayed the capital tax schedule—I think with good reason—and then it was later deferred again. Now, in his own words, it's being picked up and being shoved ahead. My friend from Erie-Lincoln is saying that this is a good thing, but I have some very real doubts about this capital tax schedule speed-up. I have some real doubts, and I think that the members of the Legislature, particularly in the Liberal Party, should have some very sober second thought about what you're doing here, because the reality is that you are going to lose a great deal of capital and money and taxation policy around this.

I would grant that the member from Erie-Lincoln is saying it can go to good things like new machinery and manufacturing where we want to encourage jobs. If that's what it was for, I would probably say that was a good idea. But the reality is that most of the capital tax schedule deferrals will go directly to the six largest banks of this country and to the insurance companies. They will be the largest single gainer. I don't have to tell you how much profit they are making this year. I don't have to tell

you that some of the people think that some of those profits are obscene. I don't have to tell you that they are going to remain in this country notwithstanding the capital tax and, just maybe, you can use the money better.

**Mr. Kuldeep Kular (Bramalea-Gore-Malton-Springdale):** I am pleased to participate in a two-minuter in this debate. This is a bill which is definitely the good news budget not only for the city Brampton, not only for the city of Mississauga, but also for the rest of Ontario. Let me tell you what the mayor of Brampton, Susan Fennell, said: "It's an excellent budget for Brampton and for the rest of the region of Peel."

It invests \$95 million in Brampton. I'm quite sure Brampton is going to benefit from \$95 million. It will help Brampton to build the AcceleRide project. The AcceleRide project is going to help Brampton have express bus lanes, building the city the Brampton.

This budget also invests an additional \$1.9 billion for health care funding. This additional health care funding will have more doctors and nurses. It will help us reduce wait times not only in the area of cataract surgery and hip and knee surgeries; it will also help us reduce wait times in the area of cancer therapy.

I definitely believe this is a budget which helps all Ontarians. It invests in the people of Ontario. It creates almost 200,000 jobs in this province. I fully support this budget.

**Mr. Ted Chudleigh (Halton):** It was a wonderful dissertation by the member from Erie-Lincoln. He dissected the budget wonderfully and said that the 8% increase, year over year, by this government shouldn't be a surprise. It should absolutely not be a surprise. The last time the Liberals were in power in this province, they doubled the provincial spending. In 1995, Larry Grossman brought in the last Conservative budget of the 42-year reign of the Conservatives. The last budget was for \$24 billion—\$24.3 billion, I believe it was. In 1990, Bob Nixon, after five years of the Liberal government, brought in the 1990 budget, which was never implemented because the NDP won. In 1990 the last budget that Bob Rae brought in was for just under \$49 billion—\$48.7 billion or \$48.8 billion. In those five years that the Liberals were in office, they doubled provincial spending from \$24 billion to \$48 billion. So the fact that they're on an 8% per year increase in spending is not surprising.

Liberals spend. If they have a windfall profit, if they have a windfall amount of tax dollars coming into their coffers, they're going to spend it. They are going to run as large a deficit as their polling tells them the people of Ontario will put up with. They'll go on spending sprees. They will do whatever they can to spend as much money as they can. In fact, without a doubt, Liberals consider that somebody's take-home pay is actually unused tax room. They will continue to spend and spend until this province has no opportunity left but to elect a fiscally responsible government that will put the fiscal responsibility back where it belongs and make this government economically sound, make this province economically sound, and build for the future once again.



**Mr. Arthurs:** I'm pleased to have a couple of minutes to comment on the member from Erie-Lincoln's hour address. I just want to say quickly—I'm fairly new and I didn't stand up on a point of order when the member was referencing the fact that the finance minister has other obligations. I didn't stand up because I'm still fairly new. I know in my time, in my 12 minutes, I didn't make reference to the absence of the leader of the official opposition today, nor did I make reference to the absence of the leader of the third party, but I'm sure—

**The Acting Speaker:** I think the member knows better. When I stand, you're not heard. If you want to continue, I would use another line.

**Mr. Arthurs:** Thank you, Mr. Speaker. I was responding to one of the references made by the member for Erie-Lincoln. Having said that, the member referred to mcguintywatch.ca. One of the comments was, "Well, they could have cut taxes." The last government, when they had a budget, cut taxes and went into debt, and that was the March 2003-04 Magna budget: cut taxes, go in debt.

Our objective is to deal with the deficits in health, education and infrastructure, and the provincial-municipal imbalance, that fiscal gap. We're getting there at this point. We're getting there with the public health upload, the 65% ambulance, to get it to 50-50, and the gas tax. So we're taking care of that fiscal imbalance effectively. We're dealing with the infrastructure deficits in this budget in particular. We've been dealing with the health deficit and we've been dealing with the education deficit.

I appreciate the member for Erie-Lincoln's difference of opinion on our budget strategy, but we're doing a budget strategy that's going to be effective in providing services for the people—

**The Acting Speaker:** It's time for a response. The Chair recognizes the member for Erie-Lincoln.

1720

**Mr. Hudak:** I thank my colleagues for their comments. Pickering-Ajax-Uxbridge, there's no way that we could beat you in a spending match. There's absolutely no way. You boast in your comments about the incredible spending increases, and I'm not going to argue with the incredible rate of spending increases, which, as my colleague from Halton rightly pointed out, are 8% per year, 9.2% in program spending in this past budget. Honest to goodness, it makes David Peterson blush. It took from Confederation to 2002 to get to about \$68 billion in total spending—from Confederation to 2002, approximately \$68 billion. Dalton McGuinty is going to probably put it over \$90 billion in one term alone. That's a significant increase in spending. You must agree with that.

But seriously for a moment, I do have some serious concerns that I'm directing to the Ministry of Finance and its officials. I find it very concerning that the department of finance is grossly underestimating—I think it's the minister's office—projected revenue from taxation, particularly personal income tax, corporations tax, elec-

tricity payments. I think they cooked the books in the third-quarter financial reports.

I also note with great concern that there is no restatement of the 2005 budget plan to most tables using the new accounting system which consolidated parts of the broader public sector on the books. British Columbia did this when they moved forward. This Minister of Finance chose not to take the transparent approach. That registers strong concern.

Lastly, the Minister of Finance is no longer disclosing details like expected personal income tax, retail sales tax etc. in the medium-term fiscal plan. Instead, they're hiding that number. I want to register a very strong concern.

**The Acting Speaker:** Further debate?

**Mr. Prue:** It seems I'm again in this unenviable position of having a bifurcated speech, half tonight and half potentially on the next night, although I'm given to understand from the government House leader in the announcement today that this will be coming back up on Tuesday night, and it may well be impossible for me to attend. So I'm going to try my very best to get my one-hour speech done in 35 minutes.

Having said that, budget bills are difficult bills because there is so much contained within a budget. When you're spending \$60 billion or \$70 billion or \$80 billion and when you have so many ministries and so many programs, it is very difficult for the average person, and even the average parliamentarian, to fathom everything that's going on. You have to be very careful to read hundreds, if not thousands, of pages, and you have to look at documents which will make your eyes swim. I will tell you, Mr. Speaker—and you know, because you probably read some of them yourself—the bureaucratese, the legalese, the documents that you have to read again and again and again, where it substitutes a single number on line 35 of a bill that you're unfamiliar with, and it's all contained within the budget.

So I tried to take some time to look at the budget bill itself, to go back to the day when the finance minister stood in this House and read his budget, to go back to the day when some of us were in lock-up, to look at the budget bill itself and to try to determine what was in it prior to the actual reading of the bill at 4 o'clock. I tried to go back and I also went to look at Bill 81, because Bill 81 is the authority of the government to raise the funds, including a provision within the bill to borrow some \$4 billion in order to make sure that government continues, as indeed government must, while this is being debated.

One thing caught my eye, because as well as being the finance critic, I am of course the critic for municipal affairs and housing and was, until my good colleague here from Toronto-Danforth came along, also for the GTA. So I look very strongly at municipal issues. I looked at one of the provisions on that day and I thought it was kind of strange and bizarre that this would be in the minister's budget statement, and that was that he would propose "legislation that would provide a process to review the governance model of the Ontario Municipal Employees Retirement System (OMERS), extend the



municipal election cycle from three to four years, and allow the St. Clair Parks Commission to wind up by transferring parkland and recreational property to local municipalities.” It was the second provision that caught my eye, because I thought, what has extending a municipal term of office from three years to four years possibly got to do with the budget? I’ve been here now nearly five years and I’ve seen lots of bills and omnibus bills and things shoved together, but in my wildest imagination I could not fathom that a budget bill would contain a provision to extend a period of municipal office from three years to four years.

So when people started to call me and say that they heard Minister Duncan talking about this during his budget—and members of the Toronto city council called me and concerned citizens called me. Municipal councillors, of course, rather like the idea of extending it from three to four years—and I heard some debate on that earlier—but citizens don’t particularly like the idea of extending it from three to four years. There is a great divide here. People who are going to be elected like the idea of only having to run for election every four years, because it is a bit of a traumatic experience. You walk the streets, you lose a little weight, you have some difficulties; you might not win. It is a difficult process. But citizens like that their politicians are accountable and feel that, quite frankly, they may be less accountable if they only have to come back every four years as opposed to every three.

So I continued to answer their questions, trying to do the very best I could to articulate to them that I was sure that at some point there would be a great debate in this House, that the Minister of Municipal Affairs would stand and introduce legislation on this and a compendium of other goals and objectives related to municipal elections in Ontario, and that I was sure there would be a very healthy debate, in which case we could listen to what the politicians had to say in favour of four years, or listen to what the citizens had to say in favour of three years or leaving it as it is.

You can imagine my surprise and my shock this past week in going through Bill 81, because there in Bill 81, hidden in schedule H, is a bill that’s just going to deal with municipal elections. Not one cent is going to be spent—not one cent of government money. This is hardly a budget item. Of \$80 billion, how much, if anything, is going to be spent on this provision? I would suggest nothing. And although the province may spend very tiny amounts of money on municipal elections, related primarily to ministerial questions on referenda, they spend literally nothing on the elections themselves. That is the responsibility of the individual municipality and/or the regional government. Those are the people who budget for and pay for municipal elections. So I have no idea why schedule H is there.

I read schedule H, in its very best legalese and bureaucratese, to see what it meant, and here it is. Look at some of these: “3(1) Clause 8.3(1)(b) of the act is amended by striking out ‘three’ and substituting ‘four.’” Then it goes on to say, “Subsection 8.3(5) of the act is

amended by striking out ‘three’ and substituting ‘four.’” There’s a whole bunch of stuff after that. Section 5.1 says, “The definition of ‘regular election’ in subsection 1(1) of the Municipal Act, 2001 is amended by striking out ‘triennial.’” And on we go. In the end, it doesn’t say anything except that “This schedule comes into force on the day the Budget Measures Act, 2006 receives royal assent.” So when you read schedule H of a budget act, and you’re trying to think how this pertains to the passage and the expenditure of \$80 billion, it doesn’t.

1730

What this is is a carefully hidden and worded statement that is going to deny the citizens of this province an opportunity to speak out on whether their municipal councillors should be elected for a three-year term or a four-year term. There is going to be no great debate, as I told them there would be. There is going to be no defence of the municipal councillors and municipal mayors coming forward and saying why they need four years. There will be no opportunity for ratepayers’ group to say anything at all about this because you know something? This bill is going to be passed pretty quickly. I know it’s going to be passed because this is a budget bill. If a budget bill fails, under parliamentary tradition and the laws of our country, it would mean that this government would fall. So there is no opportunity.

There will not be single Liberal member who will stand up and criticize schedule H, because to stand up and criticize schedule H and say it shouldn’t be in there and/or to defeat this bill, is tantamount to defeating your government. Whether you agree with every other provision in how the money’s being spent, by putting this in here you have assured that nothing can happen but the will of the Premier, who made this promise at a ROMA conference and I am sure was cheered by every ever single municipal politician.

**Mr. Ernie Hardeman (Oxford):** No.

**Mr. Prue:** Almost every single municipal politician or most of them—by most of them, who looked forward to being elected for four years as opposed to three. But in terms of democracy, in terms of how our cities run and in terms of a budget bill, this causes me some great difficulty. In doing that, I tried to think—and I tried to ask quietly some of the members of the backbench Liberal Party whether there had been any discussion of this in their caucus, whether there had been any great announcement of which they were made aware of section H before it was done. I couldn’t talk to all of you, but the ones I talked to told me that there was absolutely none and that they were as surprised as me to see that this was a provision in the schedule of a budget bill. But there it is.

So I had to go on and look at what else is in these schedules. What is the government trying to hide? What is the government trying to slip through the back door and ordinary people would never know that it was there and that politicians, like all of us, who are overworked, would not have an opportunity both to read budget documents and to go through giant bills like Bill 81 with



schedules and legal words changing “three” to “four” and trying to determine what in fact that means.

So you can imagine that I went back and started to look at what was contained. Of course I had great high hopes. I thought, wow, if they can do this about municipal elections, maybe there’s a provision in here to end the clawback. I thought, wow, maybe they’re putting something in here that I didn’t know, I didn’t see, and they’re going to end the clawback so that poor people, those on Ontario Works, those on ODSP who have children, can actually get to keep the money. I’m sorry to tell you it wasn’t there.

I thought maybe there are provisions in here that with the federal government giving all of this money for building affordable housing, they’re going to actually build some. That wasn’t there either.

I thought maybe they were going to redo the property tax system that has caused so much grief and consternation in our province. That wasn’t there either.

Finally, with my last fading hope, I thought maybe there’s something in here about the Tenant Protection Act, which is now at day 925 of your mandate and you’re nearly 600 days late. Maybe there’s something in here just to change a few sections of that act while you’re waiting to do more study on an act which is two years overdue. There was nothing there at all either.

I read the schedules and I went through them just to see what was in there. There are things that I don’t think many people understand or would agree with that are being taken away or done. The first is schedule C. Schedule C does away with labour investment funds. Some would say, “So what? You can invest in anything else,” but the labour investment funds were there for a purpose. They were there so that working people would know that the funds they were investing would go into worthwhile community projects, or those that would further the cause of labour and working people. They are being phased out. There it is; it’s in the act. They’ll no longer be able to be bought. They’ll no longer be able to be used at income tax time or for investment purposes. They’ll no longer be able to get the monies rebated for it during income tax. I don’t know whether it’s the end of the world, but I will tell you it’s kind of sad to take away that opportunity.

Then I looked at schedule D. This reduces the rate of capital tax by 5%. Schedule D—I’ve already spoken about this in the two-minute discussion of my friend from Erie—Lincoln—reduces the capital tax by 5%. It speeds up the time when it will be, you hope, eliminated in its entirety. It will cost the treasury some \$15 million or \$20 million in this particular budget. In the long term, however, doing away with the capital tax will cost the provincial treasury about \$1.2 billion. I started to think, why is the government trying to do that? Why are they trying to hide this in a schedule? Why are they trying to say that they are willing to do without \$1.2 billion? I cannot fathom that. I cannot understand it.

This government is running a deficit in this budget. I understand the need to run a deficit sometimes; I’m not

holier-than-thou on the whole issue of whether government should run deficits or not. There are times when governments may need to run deficits, and times when they ought not to. Probably, in this time, given this economy, it’s not the best idea in the world to run a deficit. There is enough money flowing into the treasury, and certainly if there was a political will, there would be enough time to balance the budget.

Conversely, I also understand the problem many Liberals have, having inherited a \$5.6-billion deficit from the previous government. I understand that, and I know it takes time to come out of that. So I’m not going to say yes or no or whether you should be running one or shouldn’t be running one. I would like to think that in good times you don’t need to, but if you’re still finding yourself there, okay. But why are you doing away with a capital tax that is going to cost you \$1.2 billion when it is finally eliminated? This is what I have some huge problems with. For \$1.2 billion, you could eliminate your deficit, or you could do really good, socially worthwhile things like build some housing; things like ending the clawback, which would only cost \$220 million; things like raising ODSP rates, which you neglected in the last budget, which would only cost \$70 million. Those are really socially worthwhile things. But instead you choose to give this tax windfall to corporations.

As I said in the two-minute hit, and I need to say again, I think that if you were giving the money to the manufacturing sector to update machines and equipment, and thereby hire additional people in this province, that would be a good thing to do, but that is not where the bulk of the money is going to go. The overwhelming bulk of this money on the capital tax is going to end up in the banks and insurance companies.

As I was speaking the last time, one of the members opposite was taunting me a little and talking about, “Don’t you have your pension fund”—that is the pension fund that we, as parliamentarians, get, a very small pension fund because we don’t get a pension—“into banks and insurance companies?” I personally don’t know where my money is being invested, because it’s in a blind trust, but I would be surprised if some of it does not go there. But I have to tell you that those are among the most successful corporations not only in this province and in this country, but on this planet. The provision you are giving them, the small amounts of money, is chicken feed. They can afford, in the case of my own bank, CIBC, to lose billions of dollars on the Enron fiasco and still make a profit. They still made a profit that year, and this year too. They’re doing fine, but other people can’t afford to do without this money.

1740

I question schedule D, and I question your wisdom in the long term to do without these funds simply to enrich those who are already the richest and most powerful of everyone in this province.

I looked at schedule F, and this was to allow the federal government to collect the provincial corporations tax. I was thinking, why would they want to collect our



tax, until suddenly it twigged to me this is an opportunity for the province—and they're going to use this—to lay off all of our tax collectors. They're going to upload it. They're going to send our tax collectors and our tax collecting mechanism to the federal government. That's what this is about.

*Interjection.*

**Mr. Prue:** Okay. And as my colleague from Perth—Middlesex is saying, why should we have two people to collect one tax? The answer is very simple: because they, working for us, collect more tax on our behalf than we actually pay them. That is not the case when you send things off to a federal department, which goes out and collects the tax generally for the federal government and probably does a pretty good job for the federal government. But quite frankly, I like to make sure that I have some of those guys working for me. You can ask any of those tax auditors, anybody in there; they earn their salary and they earn it back. In the end, what it costs for us to pay them is more than made up in their extra work and the extra efforts of going out and auditing firms and finding taxes which somehow forgot to be noticed or somehow forgot to be paid. So I looked at that schedule, and there that is too.

I looked at schedule I, which is the merger of two corporations that work for the government in order to do RFPs. I wondered, what was this doing in a budget act? Then, of course, it became readily apparent. These are the people who go out with the RFPs and these are the very people and the very corporations and agencies of the government that are going to be negotiating for P3 projects. This government is bound and determined to build hospitals and schools and other public institutions using private money. These RFPs are going to be brought under one roof and it's going to facilitate the taking in of public money for our private institutions. I have to tell you, I'm not very pleased with that either.

Finally, I went to schedule K, and schedule K was a relief because I finally found a schedule with which I could agree, because schedule K was a brokered deal at the last minute between the Premier and Mr. Ryan and helped to avert a province-wide general strike over the issue of the CUPE OMERS pension. That's what schedule K was. Schedule K allows for that to take place within this fiscal year. I have to say that is something that I welcomed to see there. Again, though, I have to tell you I don't understand how this is a budget measure because I do not understand how it falls within the \$80 billion, but it snuck in all the same.

The budget was a major disappointment to me. It was a major disappointment to, I think, many Liberals as well, because some of you have come and told me of parts of the budget that you feel have betrayed what you have stood for all along as Liberals. Nowhere has it betrayed you more than in the areas of social policy around housing, around what you're doing for the poor, what you're doing for children and those who are autistic. Nowhere has it betrayed you more than in these fields.

For the third straight year there is nothing contained within the budget of you spending any of your own money for housing—third straight year, no money for housing. So far, on the official government records—and I've heard speeches that indicate otherwise, but the official government records indicate that your government, since coming to office, has built 63 affordable units of housing. I'm sure that within the next year I'm going to see something that ups that to 100 or 200 or 500 or some abysmally small number that isn't 63, but at this point you have built 63 units of affordable housing. This budget did nothing at all.

The federal government gives money. I was in Quebec City when the first deal was brokered, when the Conservatives were in government, and when the money came down to the province of Ontario. I said then, and I was right, that the province was not going to spend any of the federal money. They were going to take this largesse, they were going to take this money, and were going to do one of two things—i.e., nothing, or they were going to put the money in their pocket.

I thought things were going to be different when Liberals were here. I thought Liberals were going to build housing. I thought Liberals were going to take that money and spend it on housing initiatives. In fact, what happened is that the federal government continues to give the money, but this government has seen fit to pocket some \$150 million that the federal government has given to the province and the people of Ontario for housing and is using it for general revenue. There's no \$150 million that the federal government gave spent for the purpose for which it was intended, and that is housing. It's pocketed; it's general revenue. It's in your budget. It's not going to be spent; it's gone.

You can imagine how disappointed I was to look at this budget in terms of affordable housing because last year this government saw fit to put forward some \$111 million to try to get affordable housing going across the province. It wasn't enough, it didn't meet your election commitments, but at least I thought, my God, they're going to try to make a start on it, \$111 million found their way into the budget.

You can imagine my sadness to see what was in this year's budget for affordable housing. It wasn't \$111 million. It wasn't even maintained. It's down to \$62 million. So here's a government that was elected saying that you were going to build, and I think your own figures were 15,000 units of affordable housing plus another 6,000 units of supportive housing within your first mandate. You've built 63. You're taking the federal money and spending it on something else, and you're reducing your own budget from \$111 million to \$62 million.

As Liberals, I would imagine that there are many people on your backbench who are very upset. Some of them have come and talked to me about it.

I want to talk, too, about the inappropriate and horrible state of housing—

**Ms. Jennifer F. Mossop (Stoney Creek):** Name names.



**Mr. Prue:** Do you want the names? Do you want the names? What if it's yours?

*Interjections.*

**Mr. Prue:** No, no. I'm not going to tell on them, because they come to me in confidence. They came to me in confidence, and I'm not revealing their names.

*Interjection.*

**Mr. Prue:** Well, I don't mention their names.

I want to talk about the experience I had again at Jane-Finch. The previous government brutally downloaded all of the supportive and government-assisted housing in this province. They downloaded it to municipalities that were singularly unable to afford the upkeep of what were mostly 30- and 40- and 50-year-old buildings.

I had an opportunity this year, at the invitation of the Toronto housing company, to go out and to live for two nights in Jane-Finch. I made a speech on it and I'm not going to make the whole speech again, but in a nutshell what it was—and people know. I grew up in Regent Park. I expected to go to a place where one would find problems, as one would find in any social housing. I expected to find that the furnishings inside, the fridges and stoves, would be antiques and that they wouldn't work very well. I expected to find leaky and drafty doors. I expected to find some leaks and things in the roof.

What I found was far more disturbing than that. I found structural difficulties, with leaks in roofs where the roof cannot be repaired and there's no money to fix it. I saw mice and cockroaches in enormous numbers, which I had never before seen. You could hear them scurrying in the walls if you were sleeping there at night. You could see them running across the floors in the kitchens. There was no money to do the upkeep. I saw bricks and mortar that were missing. I saw playgrounds where all of the equipment had been taken out. I saw people living in squalor and poverty, and there was no money to fix it.

I know that they have come forward. The city of Toronto has come forward. The Toronto Housing Authority has come forward and asked for money. They've asked this province to help and do something. I believe that this province has a moral responsibility. They have a responsibility either to give the city the money to do it because it was downloaded unfairly or they have, I think, a better responsibility to upload it back to you—back to us. This is a social duty that is responsible for all of the people of this province, and yet there was nothing in the budget, and there continues to be nothing in this budget, to alleviate the problems of that downloading, particularly in terms of housing.

1750

I have to close on the housing issue with a little trip I made last week to an ordinary apartment building in East York, on Dawes Road. The tenants are organizing. They are organizing for many of the same reasons and for many of the same conditions we are finding in our public housing these days; that is, the dirt and the squalor and the torn carpets and the carpets taped with duct tape. I thought Red Green was going to come out of one of the apartments. They were all taped on every floor. They

were worn so thin that there were literally no carpets left. There was garbage up and down all the roads, in the parking lot; it was ankle deep, in parts. The tenants merely want to have something, and there is no money for additional housing. The tenants need to live somewhere. When there are 67,000 people in Toronto alone, and more than 125,000 people in Ontario on social housing lists, waiting for clean, affordable housing that is not being built by your government, they are forced to live in some of these conditions. This government has seen fit not to build anything, and even worse still, on day 923 it doesn't even have a tenant protection act that can protect them.

I think Liberals should start to ask themselves questions about that too, because it is all well and good to blame the previous government, but after three years I would have hoped that your priorities might have been somewhere else. I might have hoped your priorities would have gone for children. My colleague from Nickel Belt spoke the other day about the file on autistic children and what happened under the previous government and what is happening under this one. The only monies in the budget that are being spent to assist them in any real way—not to assist them, but on them—are the monies you are spending to take those children and their parents to court.

I looked again at the clawback, at the promises made by this government to end the clawback and the fact it hasn't been done. It's all well and good to say, "The increase, the little 2% that you get every year from the federal government that is intended for poor kids, we'll give you the 2%, but we won't give you the main body of the money," because that is what you're doing.

I had a phone call yesterday from a person complaining about the Family Responsibility Office. You all know what that is. MPPs get calls on the Family Responsibility Office every day. They were complaining about a deadbeat dad.

*Interjection.*

**Mr. Prue:** A deadbeat dad is somebody who understands they're his children and who says, "I know I owe the money and I know I should spend it," but chooses to do it somewhere else. I have to think, isn't that exactly what this government is? This is a deadbeat dad government, because you know that the social housing and the welfare and the clawback and the autism file and all the other things are your responsibility, but you choose to say, "It may be my responsibility, but I'm not going to do anything else about it. I'm not going to put in the money that I know I owe. In fact, what I am going to do is push it off to the federal government or say that it's somebody else's fault or somebody else's responsibility, or maybe next year, when things are better, or maybe in next year's budget I can do something." This is a deadbeat dad government when it comes to all the social welfare issues.

Child care: I looked to see if maybe there would be some improvements. In the last campaign, the Liberals promised \$300 million for child care. I was hoping



against hope I would see that. There's no provincial money for child care in this budget. Not a single cent. Nothing. Not one cent. They are flowing through some of the money that came from the federal government, which is fine because I don't think you should be clawing that back as you do for welfare recipients. They're flowing through some of that. But even if you look at what's happening, there was \$874 million spent in fiscal year 2005-06, and in this year's budget, 2006-07, that has been reduced to \$688 million. Liberals do not believe in child care, in spite of the words I occasionally hear from the honourable minister. There is a 22% reduction. There are also reductions taking place and things not being done in education.

I would like to talk for a minute—oh, I've only got a minute; let's see how much I can get in—about the cities agenda. This government has said it's doing things. When I ask questions about downloading, you say you're uploading the download. There are two things in the budget. One is "increasing the provincial share of funding for public health to 65% in 2006 and to 75% by 2007." That's nothing at all because that's the agreement, that the province pays three quarters and the city pays 25%. All you're doing in this budget is agreeing to pay what you were already committed to. The second one is "investing an estimated additional \$300 million over the next three years to move towards a 50-50 sharing of the cost of municipal land ambulance services by 2008." It is the provincial responsibility—and always has been—to pay 50%. So all of the things that you're uploading is just

to pay your own bills. That's all that is happening. You're telling the municipalities you're finally going to pay your own bills. There is nothing here about the upload itself. In fact, there is absolutely no movement whatsoever.

Today I quoted Roger Anderson, who is the Association of Municipalities of Ontario president. He said it succinctly and well, and it needs to be repeated: "The root cause of our deteriorating infrastructure is the growing \$3.2-billion provincial-municipal imbalance that sees municipal property tax dollars flowing to the provincial treasury." Was there any change? Nothing was changed in this budget to stop that flow through to the municipalities. If it was, you would see some huge and very remarkable changes take place. AMO has said—and our own people in the finance department have concurred—that if the province took the municipal amount off the taxes of the municipalities, it would save the municipalities \$193.4 million for child care, \$1.33 billion for social assistance and \$879 million for social housing. When you include that with ambulance and public health, that is some \$3.2 billion. That is, in fact, what needs to happen.

This government needs to have courage, and with the courage—

**The Acting Speaker:** Thank you, member from Beaches–East York. It being 6 p.m. of the clock, this House now stands adjourned until Tuesday, April 18, 2006, at 1:30 p.m.

*The House adjourned at 1758.*

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No. 61A

N° 61A

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Second Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Deuxième session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 18 April 2006**

**Mardi 18 avril 2006**



Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 18 April 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 18 avril 2006

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### AGRICULTURE INDUSTRY

**Mr. Garfield Dunlop (Simcoe North):** The state of agriculture and the future of the rural Ontario we once knew are in a state of disarray following a McGuinty budget that has slashed \$244 million from the Ministry of Agriculture, Food and Rural Affairs. It is a disgrace that this government has turned its back on the very people who feed our cities. At a time in history when other jurisdictions are supporting their agriculture stakeholders at maximum levels, Dalton McGuinty has decided in his wisdom, and with the advice of Ministers Duncan and Dombrowsky, that we probably do not need agriculture in Ontario.

Farm families have income levels that are at 20-year lows. It is now clear that the best crop a farmer can have is a field full of foundations for new homes. Does the Premier not understand that when a farmer earns a decent profit, he or she actually reinvests in the family farm operation? New tractors and equipment, trucks, expansion of buildings: Farmers historically have reinvested their profits.

Today, farmers simply do not have the money to plant their crops. I call on Premier McGuinty to stop this hatred of rural Ontario. Please help our farm families. Allow Ontario farmers to earn a decent living. In a year when the Ontario civil service \$100,000-plus club has grown by 22%, the farmers of Ontario have been abandoned by the McGuinty Liberals. The Simcoe County Federation of Agriculture, under the leadership of President Dave Riddell, has not forgotten this abuse by the McGuinty Liberals. They will continue to work hard, the same way they operate their family farms, to let Ontarians know how shabbily they have been treated by the McGuinty Liberals. Remember: Farmers feed cities.

#### POWER PLANT

**Mr. Peter Tabuns (Toronto–Danforth):** I have been instructed by my constituents in Toronto–Danforth to send Premier McGuinty a very clear message: The people of Toronto–Danforth do not want your port lands mega power plant.

This riding has done its homework. It knows that hundreds of millions of dollars from the public purse will

be wasted on this mega gas-fired plant instead of being spent on greener, cheaper, more effective alternatives that will keep Toronto's lights on without undermining local air quality and without delaying the long-awaited revitalization of the eastern waterfront.

For example, Toronto Hydro alone could double its conservation targets if only it had adequate funding from the province. In sharp contrast to Dalton McGuinty's seeing \$700 million spent on this 550-megawatt gas plant, Toronto Hydro, with approximately \$200 million, could save the city over 550 megawatts of electrical energy.

It's long overdue for the Premier to start working with the community and the city to keep the lights on in the cleanest, greenest and most affordable way. Dalton McGuinty, stop imposing this mega power plant that no one wants on the waterfront and start being a partner in making Toronto a world leader in energy efficiency, conservation and renewables.

#### AGRICULTURE INDUSTRY

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** I've seen bumper stickers that say, "If you ate today, thank a farmer." With all three of our daughters home for the Easter break and constantly into the fridge, be assured that Ontario farmers have my undying gratitude.

Today's Ontario agriculture and food sector is a colossus. Agriculture represents 12% of all goods produced in our economy, more than 10% of all jobs in the province and over \$8 billion in annual agri-food exports. To build strong rural communities, we must develop an agricultural sector that will not just keep pace but set the pace. This will require all levels of government to work with our agricultural partners to find ways to smooth out the bumps brought on by lower commodity prices and increased global competition, as well as bringing added value through product diversification and new ventures such as biodiesel fuels and ethanol. New agri-tourism ventures, enhanced agricultural research and better information sharing are other important components of any long-term strategy.

Finally, we must acknowledge the simple reality that building a strong and sustainable agricultural future will require a shared sense of purpose. Only by agreeing to a shared sense of purpose will we be able to develop a clear set of agricultural objectives. Our task is clear, complex and urgent. It is best done together. Let's get at it.

**Ms. Lisa MacLeod (Nepean–Carleton):** This past weekend my family, like many other young families, enjoyed a lovely Easter weekend in Nepean–Carleton. Unfortunately, farmers and grocers in the Nepean–Carleton riding are not able to say the same. On Saturday, Ken Ross, an independent grocer in my community, asked me, while I was shopping for groceries in his store, to please listen to the farmers. His shelves were bare. This was the result of a farmers' blockade of the major grocery distribution centre in my Ottawa community to protest this government.

On Sunday, I spoke with Gib Patterson, a farmer in my community, who lamented his frustration with the government over the agriculture file. In our discussion he supported the farmers' protest as a means to highlight the agricultural crisis looming in Ontario. Farmers, distributors, grocers and consumers are suffering from the McGuinty government's lack—

**Interjection:** Shame.

**Ms. MacLeod:** Yes, exactly—are suffering from the McGuinty government's continuous promise-breaking to Ontario farmers, its continuous slashing of the agriculture budget and its utter lack of respect for the family farm.

When will this government step up to the plate and begin restoring cuts to our farmers, and when will it keep its promise to make the Ministry of Agriculture a lead ministry? It's time for action, it's time for keeping promises and it's time to support our family farm.

#### VOLUNTEER SERVICE AWARDS

**Mr. Khalil Ramal (London–Fanshawe):** I would like to tell this House about an exciting event that took place on Thursday, April 6. It was my pleasure to attend the Volunteer Service Awards in London, where 252 honours were given out to Londoners of all ages who have taken time out of their hectic schedules to give back to their communities and make a difference in the lives of others. I want to congratulate everyone who was honoured.

More than 2.3 million Ontarians volunteer over 390 million hours to 75,000 organizations each year. The Volunteer Service Awards are now in their 20th year and more than 8,000 people in Ontario will receive volunteer service honours this year.

The work of volunteers has been valued at more than \$6 billion annually. This statistic speaks volumes to the generosity, caring and kindness of Ontarians. Without volunteers, so many communities, agencies and non-profit organizations could not survive.

Volunteers in the province have given their time to a wide variety of Ontarians, including children and youth, seniors and the disabled, and to all sectors, including health, culture, environment and education, among others. All Ontarians benefit from the millions of volunteers who help to make life in Ontario better and more prosperous.

On behalf of all Ontarians, I want to thank volunteers for taking the time to help others and for being role

models to Ontarians, and encourage all Ontarians to volunteer their time to an organization or cause that they believe in. Not only will the volunteer experience enrich their own lives; it will make Ontario a better place to live for everyone.

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#### CONVENIENCE STORES

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** I welcome OKBA, the Ontario Korean Businessmen's Association, the Ontario Convenience Stores Association, Mac's stores and Daisy Mart to Queen's Park. The theme of today's protest of well over 1,000 people out front is "Enough is enough." The Ontario Convenience Stores Association points out that the Liberal government refuses to meet with its leaders or even acknowledge the issues—issues like increased electricity, WSIB and insurance rates, and most importantly the war on tobacco.

Dalton McGuinty's war on tobacco has inflicted collateral damage on small business. This war is claiming convenience store owners as its latest victims. The underground tobacco economy is putting legal business out of business and driving increased store robberies.

We hear the Premier talk about addiction, but he should acknowledge his own addiction: taxes. While governments across Ontario and Canada claim close to \$10 billion annually in tobacco tax revenue and continue to increase taxes, this government has no qualms about legislating away 50% of a corner store's profits. This isn't a smoking issue; it's a fairness issue. If government can legislate away profits through increased taxation and regulation, it can pay up with a modicum of compensation.

Our friends out on the front lawn are saying, "Enough is enough," and I concur. They're right.

#### AGRICULTURE INDUSTRY

**Mr. Pat Hoy (Chatham–Kent Essex):** Ontario's farmers face an immediate need for financial support in advance of the upcoming planting season. The McGuinty government is delivering \$125 million in financial assistance to farmers prior to spring planting.

Chatham–Kent's direct and indirect agricultural sales represent approximately \$2 billion and support more than 16,000 jobs. In Essex, farm cash receipts for one of the most agriculturally diverse counties in all of Canada were \$571.5 million in 2004.

The impact of agriculture on Chatham–Kent Essex goes way beyond just economic factors. The public benefits derived from the agricultural industry include vibrant rural communities and schools; social infrastructure, including active community centres for all age groups; cleaner air; conservation of agricultural land; management of physical resources; preservation of wildlife habitat; and stewardship of forests.

Farmers support the rural communities they live in. They have children enrolled in schools, they participate



in educational opportunities and they take leadership roles.

Our government is firmly committed to working with the federal government and our provincial and territorial counterparts on a new agricultural framework to support our agri-food sector. We are calling on the federal government's participation as a full partner to support our agricultural industry.

### ELDER ABUSE

**Mr. Dave Levac (Brant):** Ontario's strategy to combat elder abuse is designed to prevent and respond to the abuse of older adults in Ontario. Some agencies coordinate community activities, train front-line staff and provide public education for this tragic stuff. Others are directly involved in elder abuse cases but have no funding to do so.

These kinds of services are provided by 62 organizations across Ontario, 23 of which provide direct elder abuse intervention services to community clients, and the remaining 39 help coordinate services in any given area.

The Haldimand and Norfolk Community Response Network, part of the Victim Services of Haldimand-Norfolk, will receive a \$15,000 unconditional grant to help the network continue to provide intervention services.

The Brant county elder abuse advisory board has received \$3,000 in recognition of service coordination activities.

These grants will help coordinate community services, provide training for front-line staff and help pay for educating the public. I am pleased that we were able to provide some more money for these extremely valuable services provided in our communities.

The unconditional grants for elder abuse networks and service organizations are in recognition of their costs related to meeting with the local elder abuse networks, disseminating information to network partners, producing elder abuse educational materials and hosting educational events for the public and/or providing those services for those people who are helping our elderly.

Senior citizens do not need to be abused any longer.

### CORNWALL

**Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh):** The Leader of the Opposition is fond of asking this government where evidence exists of its plan to assist Cornwall. It gives me great pleasure to tell the member currently representing Dufferin-Peel-Wellington-Grey and all members a bit about how that plan has manifested itself over the last several weeks and months in my area.

Cornwall already has an ideal location and a dedicated bilingual workforce. What the McGuinty government has done is looked to the areas that municipal leaders and I have indicated need improvement and commenced work to address them.

When the new state-of-the-art hospital capital project is completed, doctors will look to Cornwall as a place to

explore the boundaries of innovative medicine. Families will be interested in settling there knowing there is not only an excellent hospital but new and improved educational facilities for their children.

Businesses, intrigued by the location and the improvements to the road system through Move Ontario, improvements that will facilitate the flow of goods, are expressing interest in locating in Cornwall and other communities in my riding. I have spoken before of the health care renaissance my riding is embarking upon. I feel it's time to upgrade this to a general renaissance, all part of the McGuinty plan to revitalize eastern Ontario.

Where the last government had rhetoric, this government indeed does have a plan. Where the last government spewed empty promises, the McGuinty government is delivering action. I am honoured to continue my work with the government to ensure a new beginning for this, the oldest part of the province.

### MOTIONS

#### WITHDRAWAL OF BILL 123

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I seek unanimous consent to put forward a motion without notice regarding the discharge and withdrawal of Bill 123.

**The Speaker (Hon. Michael A. Brown):** Is it agreed? Agreed.

**Hon. Mr. Bradley:** I move that the order for third reading of Bill 123, An Act to require that meetings of provincial and municipal boards, commissions and other public bodies be open to the public, be discharged and the bill withdrawn.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

### HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Tuesday, April 18, 2006, for the purpose of considering government business.

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley has moved government notice of motion number 104. Is it the pleasure of the House that the motion carry? Carried.

### STATEMENTS BY THE MINISTRY AND RESPONSES

#### RENEWABLE FUELS

**Hon. Donna H. Cansfield (Minister of Energy):** Ontario continues to move ahead in the development of



clean, renewable energy. I recently drew to the attention of the House the opening of Ontario's second large-scale commercial wind farm, and today I am pleased to report a third, offering clear evidence that our government's plan to ensure that Ontario has safe, clean, reliable power now and for the future is working and is moving ahead.

The Erie Shores Wind Farm is a 99-megawatt project, making it Ontario's largest operating wind project. The project's 66 turbines will generate enough electricity to power over 25,000 homes.

1350

Not only are we benefiting from clean, renewable energy, but the Erie Shores Wind Farm represents a total investment of \$186 million and will mean cleaner air for all Ontarians.

Our government is building a new energy future that will keep the lights on and ensure that our children have cleaner air. This wind farm and the others now operating or being built across the province will allow us to create a stable supply of clean, renewable power. It is an important milestone towards our future.

I would like to remind the members that in 2003, Ontario had a wind capacity of 15 megawatts. Through projects like Erie Shores, by 2008 the province's wind capacity will be over 1,300 megawatts. That's an 80-fold increase, and will make Ontario Canada's leader in wind power.

As I advised members earlier this month, the 40-megawatt Kingsbridge I wind project near Goderich and the 67-megawatt Melancthon wind project near Shelburne have both begun commercial operations. Three more wind farms selected under the renewables RFP process are also expected to come online by the end of 2006, with enough capacity to power up to 80,000 homes. Together, all these projects will help Ontario reach its goal of generating 5% of its electricity capacity through renewable generation by 2007, and 10% by 2010.

These larger-scale renewable energy projects, which also include small hydro and biomass projects, represent only one part of our approach to renewable energy. We recognize that projects of all sizes have a place in our energy future. That's why we recently announced one of the most ambitious and forward-looking standard offer contract programs in North America, which will lead to smaller-scale commercial, co-operative and community developments. It's also why we have put in place a net metering regulation that helps homeowners, farmers and others meet their own energy needs through renewable energy generation right at home.

The opening of the Erie Shores Wind Farm is indeed exciting news and a further indication of the clean, green energy future we are creating for the people of Ontario.

#### ROAD SAFETY

**Hon. Harinder S. Takhar (Minister of Transportation):** I rise in the House today to talk about an important matter for all Ontarians: seat belt safety.

Earlier today, I officially launched the annual spring seat belt campaign, which runs from April 16 to April 23. This year we are focusing on one of my priorities: the safety of children travelling on Ontario's roads.

Collisions are the leading cause of death and injury for children one to nine years old. In fatal crashes, nearly 20% of the children under eight years old were not using seat belts, child car safety seats or booster seats. That is why our government has made it mandatory for drivers transporting children to ensure they are properly secured in an appropriate child car safety seat or booster seat. Drivers who don't do so face a fine and two demerit points.

We are serious about safety. We know that kids are safer in child car safety seats and booster seats. That's why we supported such strong penalties for parents and caregivers who don't comply with the law.

About 20 child car safety seat information sessions will be held across the province in the next week to coincide with the annual spring seat belt campaign, and there will be many more sessions held throughout the year. I want to encourage families with young children to contact our ministry to find out more about these helpful sessions. They are happening in your community and are a great resource.

I would like to thank the community groups and public health care workers who organized these information sessions as well as our police, who raise awareness with seat belt spot checks. The work you do is important, and your support is invaluable.

We are also very fortunate to work with a number of road safety partners in educating the public. For example, Brampton Fire and Emergency Services has recently released an extremely helpful DVD on the proper installation of child car safety seats.

I am proud to report that Ontario has the second-highest rate of seat belt use in urban areas in Canada. It's nearly 93%. That is above the national average of just over 91%. But we can and must do more. I won't be satisfied until Ontario's seat belt rate is 100% so that no one, no child, is put in danger while travelling.

Today's announcement is just one way the McGuinty government is helping families do the best for their children. We have lowered class sizes for children in the early grades; 70% of our kids are now in smaller classes, half in classes of 20 or fewer. We have provided the resources and help that kids need to learn to read, write and do math at a high level. Test scores are up: 62% of our children are now meeting the provincial standards, up from half in 2003. We have hired 4,300 new teachers and delivered one million new textbooks. We have introduced legislation to keep students learning until at least age 18. We have launched an anti-bullying strategy and school safety audits. We have added three new vaccines to protect children and save families more than \$600 per child. We have also created 14,000 new child care spaces. All Ontarians benefit when we keep our children safe and help them to learn.

Together, we are making our roads safer for children and everyone who travels in Ontario. Ontario has the



safest roads in North America. Our government is committed to maintaining and improving upon that record. For more than a decade now, the Ministry of Transportation has held the annual spring seat belt campaign with the help of our road safety partners, including police, fire, emergency medical services, health care professionals and community groups across the province.

I know all members will want to join me in encouraging everyone to wear a seat belt and use the proper child car safety seat or booster seat when transporting children.

**The Speaker (Hon. Michael A. Brown):** Response?

## RENEWABLE FUELS

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):**

It's my pleasure to respond to the Minister of Energy for another announcement of a mega wind project, Erie Shores. The minister calls this a 99-megawatt project providing power for 25,000 homes. She further talks about her previous developments, 40 and 67 megawatts, and about being able to produce power for 80,000 homes through 2006 from wind in this province.

The government is not being straight with the people, but that's not surprising from this government. That is actually the way they conduct business. You see, Mr. Speaker, even the IESO, in their latest report, clarify and make it clear that you can only rate wind at 10% of its capacity, which means that 80,000 homes is 8,000 homes and today's announcement is not 25,000 homes; it is 2,500 homes.

The people in this province have a right to know where this government is going with these gigantic announcements that are going to actually provide a very, very small portion of the power needed to power this province over the next several years. They are being totally—you know what I want to say, but I can't—with the people of Ontario when it comes to the actual numbers of this power. Yet their policy is ensuring that we will shut down power to almost two million homes, using their figures, by their silly, ridiculous, undoable coal shutdown policy.

1400

I met with people from Germany and Denmark a couple of weeks ago with regard to the opportunities in fossil generation today and the good work they are doing. But this government will not even recognize that those exist. Do you know what is sad about their policy? Under the gigantic demand of power last year, our plants continued to burn coal, with this government doing nothing about the emissions they produced at record levels.

The fact is that what we get from this government are sky-high hydro prices and an incoherent policy. They're not straight with the people of Ontario. They really don't know where they are going with coal. They have no idea where our supply is coming from over the next several years. They have not responded to the OPA report, which they promised to do in 90 days. It is just a mishmash of incoherency that the people of Ontario are paying the

price for, and they will continue to pay the price until we ship these people out of office.

## ROAD SAFETY

**Mr. Frank Klees (Oak Ridges):** I'm pleased to respond to the Minister of Transportation's comments regarding seat belt safety. Clearly we support any initiative that is going to make it safer for our children on the roads in this province.

I do want to respond to the Minister of Transportation's education comments, though. I want to point out that what we have in this province, unfortunately—and I can understand the minister's making the comments, because he is not the Minister of Education and of course he wouldn't know. But I think that we need to look at people who do know what is going on in education in Ontario.

Here is the Ottawa Citizen headline this weekend: "Don't Let Kennedy's 'Success' Fool You: Liberal Leader Hopeful Left Schools a Mess." It goes on to talk about a \$17.8-million gap between what the board plans to spend and what the province will deliver. That's a difference between the former Minister of Education's announcements regarding education and the shortfall of funding he has left school boards with. This article goes on to say what we have been saying in the House for many months; that is, the former Minister of Education has left a legacy of mismanagement in education in this province. School boards are forced to rob from special education, from textbooks, from all kinds of programs that the Minister of Transportation referred to. They have to rob from those programs to meet contract commitments that the Minister of Education made in this province. It is unconscionable. Now we have the two largest boards in Ontario—Toronto District School Board and the Toronto Catholic school board—spending \$100,000 of taxpayers' dollars to hire Warren Kinsella to lobby this government so they can get an ear about the problems they have in education funding. It's a shame, an absolute shame. We hope the new Minister of Education can fix the problem.

## RENEWABLE FUELS

**Mr. Peter Tabuns (Toronto–Danforth):** Development of wind power in this province is a good thing. But the reality is that the energy plan that is coming forward from this government is one that needs sugar-coating. It is a plan that has nuclear power at its core, prettied up with some positive things, but in the end a plan that is not environmentally or economically sustainable.

We are faced with a government that is poised to spend \$41 billion on new nuclear power plants and that is poised to make the majority of power in this province come from nuclear power when we still have unpaid bills from the last round of nuclear power. Twenty-four billion dollars is the estimate that the Nuclear Waste Management Organization gives for disposal of nuclear waste in



Canada, most of that from Ontario. That unfunded liability hangs over this province.

We already have a charge on our hydro bills for what is called stranded debt; that means dead nuclear power plants. We're about to have this government go forward to add a number of other lines to our hydro bills, lines that will reflect the cost of waste disposal from the last round, lines that reflect dead reactors from the last round, and future charges for waste management/waste disposal that will weight down this province environmentally and economically. It's no wonder, with an approach like that, that this government is so desperate to sugar-coat a plan that is a dead end.

The other thing I want to say is that this government treats efficiency and conservation as frills, as small items that are left to the side. Demand response, paying companies a small amount to cut their power use at peak times, is extraordinarily cost-effective. We buy about 3,000 megawatts of power from the United States at peak times during the summer to deal with demand in this province. We have offered jurisdictions and companies in this province an opportunity to sell reductions on call to meet peak need, but we've capped that at 250 megawatts. In other words, if you're in the United States and you want to sell power into Ontario, whatever you want. If you're in Ontario and you want to sell reductions to this province, your opportunity is capped at 250 megawatts, guaranteeing that we will be sending dollars out of this province to poison ourselves, because most of this power is coal-fired.

This government has to sugar-coat its initiatives. Wind power is a positive thing, but it's wrong to use it as sugar-coating for a nuclear-powered future.

**The Speaker (Hon. Michael A. Brown):** Responses? The member for Niagara Centre.

#### ROAD SAFETY

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Be positive.

**Mr. Peter Kormos (Niagara Centre):** As Mr. Bradley admonishes me to be positive, I will.

All of us share a concern about highway safety. All of us are concerned about the remarkable shocking data that indicates that 20% of under-eight-year-old kids in fatal accidents weren't wearing appropriate seat belts. There isn't a member of this Legislature who doesn't agree with the proposition of firmer education, stronger educational programs, and assistance to those families who need assistance in purchasing and acquiring the appropriate child restraining device, because now there are clear and defined regulations requiring different sized devices for different ages and different sized kids.

But the observation has to be made that unless you've got, amongst other things, cops in adequate numbers on our 400 series highways patrolling those highways, we're not going to have an effective level of enforcement. The regrettable human reality is that there's going to be a per-

centage of people who, notwithstanding all of the investment in educational programs and all of the assistance offered to them, are still going to ignore the law when it comes to seat belts. So I say to this government that while all of us join in our concern about the failure to use seat belts and the incredible fatal consequences of that, we should have a similar sharing of a commitment to adequate levels of policing on our 400 highways, which means reinforcing, restaffing and upgrading the level of staffing when it comes to OPP, and municipal police forces, for that matter.

**The Speaker (Hon. Michael A. Brown):** It is now time—

**Mr. Kormos:** On a point of order, Mr. Speaker: I seek unanimous consent to move a motion adding the Spanish and Portuguese languages to the official languages that can be used here in this chamber.

**The Speaker:** Mr. Kormos has asked for unanimous consent. I heard a no.

1410

#### ORAL QUESTIONS

##### HEALTH CARE

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** My question is for the Premier. Ontarians do want a health care system where they get the right care at the right time. During the last campaign, you made a promise to reduce wait times. You promised there would be shorter wait times for key cancer surgery and treatment. Premier, I'd like you to explain to people in this province why you have broken this promise and why, according to your own website data, cancer surgery wait times are up throughout the province.

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I'm pleased to take the question and to speak to what is a very important issue, not just for members of this Legislature but, obviously, for the people of Ontario. I'm proud of the fact that for the first time in Ontario we now have a public wait times website, making information available to Ontarians in a way that was never apparent. I believe we've had over 500,000 hits on that website, just to give you an indication of how interested Ontarians are in acquiring that kind of information. That is just one phase in our determination to get wait times down in Ontario.

The member should know that elective cardiac bypass waits are now 50% shorter. They've dropped from 30 days to 15 days. She should also know that when it comes to elective angiography, waits are now 40% shorter. They've dropped from 23 days to 14 days. Finally, I'm proud to say that radiation treatment waits are 16% shorter. They've dropped by one week. I'm proud to say that, in sum, we're making progress.

**Mrs. Witmer:** The Premier did not respond to the question regarding cancer surgery wait times. Unfortunately, Ontarians today are paying more. In fact, they



recently filed their income tax forms and they had to pay the awful, dreaded health tax that you implemented and had promised not to.

But I want to talk to you about your site. You have advertised all over the province, in newspapers and in the Internet, and it says, "Wait Times: What are my options?" The ad is currently running, as you know, on the National Post website.

So I ask you today, Premier, what are the options for cancer patients at Toronto East General Hospital who are waiting 35% longer for cancer surgery than they were last July?

**Hon. Mr. McGuinty:** When it comes to cancer cases, 92% of those are now being done within the priority wait time target. The member will also know that we have funded an additional 4,600 cancer surgeries.

Let me just tell you of one anecdote recorded in the Guelph Mercury March 18 of this year and how useful these wait time websites can in fact be: "In the short time it's been operational, it does seem to be working to help patients find the care they need where they can get it quickest.

"One Guelph woman recently used the website to find the quickest CT scan after being told she'd have to wait two months for the service at Guelph General Hospital. She found a six-day wait at Hamilton's Health Sciences Corp. on the province's website, and, once she got there, found no one else in the waiting room and was done in five minutes.

"It is stories like these that speak to the success of the website as a useful tool for people to manage their own health care." The website is working.

**Mrs. Witmer:** I would suggest to you that wait times for cancer patients in the province of Ontario are going up. I indicated Toronto East General Hospital, where people are waiting 30% longer than last July; Mount Sinai Hospital, 8% longer than last July; University Health Network, 13% longer than last July; in the central LHIN, cancer surgery wait times are up 68% compared to July of last year.

Premier, the truth is that people are waiting longer all over the province for cancer surgery. This is yet another broken McGuinty promise. I want to ask you, what are the real options for patients facing increased wait times due to your broken promise?

**Hon. Mr. McGuinty:** Again, the facts simply do not support the representations being made by the honourable member opposite. Cardiac bypass wait times are down; they're 50% shorter. Angiography waits are down; they're 40% shorter. Radiation treatment waits are down; they are 16% shorter. The member opposite may not find that the websites are of any value, but 500,000 Ontarians claim otherwise.

Understand that the intention of the member opposite's party is to address the wait times challenge before all of us by taking \$2.5 billion out of Ontario's health care system. I fail to see how taking \$2.5 billion out of our health care system is somehow going to further reduce wait times.

We have a plan. We are moving ahead with that plan. We're making information transparent for the first time ever and we're getting real results for the people of Ontario.

**The Speaker (Hon. Michael A. Brown):** New question. The member for Kitchener-Waterloo.

**Mrs. Witmer:** I would say to the Premier, he should check his website. The numbers I am using today are straight from the ministry's own website for cancer surgery. He obviously doesn't like the numbers.

I say to you, what are the options for people like the patients at North York General Hospital who in January 2006 were waiting 64 days for cancer surgery, compared to waiting 88% longer now?

**Hon. Mr. McGuinty:** We expect that as a result of making this information available for the first time ever, there are going to be some fluctuations. There is going to be some up and down in the wait times. But we are also very confident that the long-term trend will show definitively that those wait times are coming down. It's not just the responsibility of our government to tackle these wait times single-handedly; we are counting on our health care partners and individual hospitals. By making this information apparent and transparent, some are doing better than others. Working together as a team, we will make the necessary funding available. We will make sure that the transparency remains there so Ontarians can observe the progress that we're making together. Again, I'm confident that over time, we will get more and more of our wait times down.

**Mrs. Witmer:** The only thing the people in the province know for sure is that they are paying more for health care and getting less. You continue to make excuses and bogus explanations when you can't explain what the options are for people in this province who are waiting longer for cancer surgery.

Why should the patients at Markham Stouffville believe you when you say you're reducing wait times when they're waiting 48 days for cancer surgery in January versus 37 days last July, an increase of 30%; or North York General Hospital, where wait times are up 88% since last July; or Toronto East General at 35%? What are the options for these people who are waiting and paying more?

**Hon. Mr. McGuinty:** The member maintains that somehow the people of Ontario are not getting additional value for these many new investments that we're making on their behalf. I'll remind the member opposite about the over 3,000 new nurses that we are funding now. We have expanded medical school spaces by 23%, including the construction of a new medical school. We have new vaccination programs in place for our children. We have a newborn screening program in place for our children. We're putting in place funding for new community health centres and expanding existing community health centres. Our budget just recently funded insulin pumps for children for the first time in Ontario. So the member may see everything as being dark and sombre and hopeless, but we see a different Ontario and a different air of



optimism that's been injected into public health care. One aspect of that alone is getting our wait times down.

**Mrs. Witmer:** I would say to you that your government is very good at making announcements and re-announcements. We know how many times you've announced the family health networks. You are nowhere near creating 150 family health networks. In fact, we would be lucky if one or four are up, totally running. As far as 8,000 nurses, you are nowhere near keeping that promise. As far as your announcement last week and the \$50 million for pharmacists, that was first announced by Tony Clement, reannounced by your minister, and it's still not working.

I would say to you today, how can the people at Southlake Regional Health Centre trust you when they're waiting 24% longer in January for cancer surgery than they were in July? I would say, Premier, people in this province have had enough of broken promises. Why are you continuing to break your promise on reducing cancer surgery wait times?

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**Hon. Mr. McGuinty:** As this is the last of the six in a row, I think it's a good opportunity to compare and contrast.

Under the Conservatives, thousands of nurses were fired, emergency rooms were closed, thousands were cut off home care, long-term beds were closed, wait times grew longer, community mental health was chopped, there were no vaccines for our children that were being funded, and every single MRI machine was ripped out of our hospitals.

Now let's compare with what we've been doing: We have more nurses, more doctors, shorter wait times, more home care, higher standards in our long-term-care homes, new vaccines for our children, insulin pumps for children with diabetes, and it's pretty hard to find a community in Ontario where there's not some kind of hospital expansion or new construction taking place for the first time.

They want to take \$2.5 billion out of the progress that we are making. We will continue to defend public health care and improve the quality of services for all Ontarians.

### HOSPITAL SERVICES

**Mr. Peter Kormos (Niagara Centre):** A question to the Premier, but first, a heartfelt benvenuto a Anthony.

Premier, an outbreak of Norwalk flu in Hamilton has left emergency rooms 20 deep in patients waiting for beds. At Henderson hospital, up to 40 patients are lying on stretchers in crowded emergency rooms and hallways. Why in the midst of this very serious health crisis are you forcing Hamilton Health Sciences to close 28 desperately needed hospital beds?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Health.

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I want to say, of course, we're very conscious of the challenges that the Hamilton Health

Sciences family of hospitals is facing at the moment related to the Norwalk virus outbreak. At any time in the province of Ontario in any of our institutions, there is, of course, the possibility of an outbreak of this nature, and it can have serious complications, obviously, for those individuals who are directly affected and for others who are in the system.

In this case, of course, it has put more pressure on beds, and this has created some backlog in those hospital emergency room environments. But I would remind the honourable member that what we have sought to do in each of the instances with our hospitals in Ontario is have them operating within the resources that are available. We have confidence in the people of Hamilton to be able to address the circumstances which are occurring there at present in the same fashion that they always do: with professionalism and dedication to patients. This too is something where circumstances will improve as the outbreak is diminished.

**Mr. Kormos:** Minister, I know that you know that when seniors and kids come down with the Norwalk virus, they can become very seriously dehydrated and they have to stay in the hospital for monitoring of their conditions. There just simply aren't enough beds to go around, and you're asking them to cut 28 more. Hamilton needs more, not fewer, hospital beds. Why are you forcing Hamilton's hospitals to cut 28 beds and rely on hallway medicine to get through this health crisis?

**Hon. Mr. Smitherman:** I want to remind the honourable member that our record as a government with respect to hospital funding stands in very stark contrast to the one of the government that he was part of. It has a record of additional resources each and every year for every Ontario hospital. What that's meant for Hamilton Health Sciences since our government came to office is fully \$145 million of additional operating funding for Hamilton Health Sciences alone. This speaks to our commitment.

It's important to mention that while the honourable member seeks to cause even greater concern, no surgeries have been cancelled related to this outbreak, and Hamilton Health Sciences has appropriately developed flex beds. These are beds that can be put into motion directly to affect the challenges, in this case one with an outbreak of Norwalk.

Accordingly, we do see pressure placed on the health care system to deal with the Norwalk virus, and as is the case always, the people who work in health care, the quarter of a million people on the front lines, are responding with professionalism and with dedication to patients. This is what we expect, and I want to thank them for their hard work.

**Mr. Kormos:** Minister, patients are being forced to wait in parked ambulances for hours as city hospitals struggle to find space for them. That means that these ambulances are stuck and can't get to other emergencies and other people in medical trauma. Pat MacDonald, local 70 president of the Ontario Nurses' Association, calls the situation "a nightmare." She says, "Patients are



sleeping on stretchers for days." And you want to cut 28 more beds from this overstretched system.

When are you going to give Hamilton's hospitals the resources they need to keep that city healthy, or is Pat MacDonald simply wrong?

**Hon. Mr. Smitherman:** Yes, I do think that it's very easy, in a time when a specific circumstance has occurred, to overreact. Language like the honourable member wishes to repeat is rather inappropriate in the circumstance.

Across the breadth of the province of Ontario, we have 154 hospitals and we have more than 600 long-term-care homes. At any time, it is quite possible that an outbreak is going to challenge the system. This is occurring in Hamilton. We appreciate that there are challenges there for patients. We want to thank them for their patience in the circumstances and recognize that it is very difficult to fashion a health care system of a size and scale that is able to respond to every outbreak or circumstance that might occur.

In Hamilton, we have flex beds. We've had \$145 million of additional operating budget on the part of our province since we came to office. Accordingly, we believe that we are offering a very appropriate level of support to those very fine hospitals and to the incredibly dedicated people who work within them.

One more time: To the patients in the Hamilton area and also to those workers on the front line of health care, we thank them for their patience in trying circumstances and we appreciate their dedication, especially—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

### LONG-TERM CARE

**Mr. Michael Prue (Beaches–East York):** My question is to the Minister of Health and Long-Term Care. One year ago today, a coroner's inquest reported on the tragic events at Casa Verde nursing home in North York, where a 74-year-old resident suffering from dementia killed two other residents. The landmark inquest found, and I quote them directly, "Nursing homes are in dire need of more funding, stiffer regulations and better-trained workers."

I want to ask you about the first recommendation they made: new funding for better services for seniors in long-term care. You yourself personally promised \$6,000 per resident. You have delivered only \$2,000 of that, one third of the promise. Why?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** Perhaps by way of supplementary, the honourable member will show me where it is that I made such a personal commitment. I believe that to be an inaccurate statement, but I'll look forward to the honourable member answering it.

Across the breadth of long-term care, we have responded. In fact, proactively, even before the Casa Verde inquest came out, we had already sought to move forward the nearly \$200-million ongoing investment, done

in one year, to enhance the level of care that was provided. We've moved forward with a series of changes in the long-term-care sector that have been designed to influence the quality of care for patients. Just last week, in a conference with the Ontario Long Term Care Association, I had the privilege of announcing further funding—\$2.4 million—for an initiative designed to enhance training and education for those workers who are dealing with our patients in long-term care who have dementias. We recognize that this is an ongoing challenge, and that's why we're spending on-mark with dollars to enhance the training for those individuals.

**Mr. Prue:** The Casa Verde inquest said that nursing homes need "stiffer regulations," but today your government, the McGuinty government, refuses to set minimum hours of personal care for seniors, meaning there is no standard for the amount of care seniors get. The inquest also said that we need "better-trained workers," but homecare providers say that most homes will have difficulty keeping the staff they hired last year, let alone hire the 2,000 new workers you promised.

The Casa Verde inquest gave you a blueprint for change. Why have you failed to act in totality on those recommendations?

**Hon. Mr. Smitherman:** I note that the honourable member had an opportunity to retract his earlier statement and chose not to, but I believe he'll have one more shot at it.

In retrospect, the honourable member maybe ought to recognize that our government didn't wait for an inquest; we didn't sit here wondering and waiting for a response. Rather, we sought to act proactively.

Across long-term care, as a result of the terrific work of my parliamentary assistant, Monique Smith, the member from Nipissing, we've been able to see a dramatic improvement. We've worked to build family and resident councils. We have increased funding quite dramatically and have put 2,000 additional staff on the front lines of health care. We've renewed the commitment around 24/7 registered nurses.

To the honourable member's point, both in terms of regulation and in terms of training, our government has already made this response across long-term care. We recognize that dementias are occurring at a greater rate and there is more work to do. That's why we've recently made this investment in the education of those who work on the front lines to assist them in dealing with our clients who have dementias.

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**Mr. Prue:** Just to assure the minister, this is my information and I believe it to be correct. On December 8, 2003, you and your government promised a revolution in long-term care. I'm not sure whether it was you or the Premier, but one of you wiped away tears and said, "This is a sub-par performance ... this is not Ontario's standard." You can tell me which one of you said it.

Minister, you promised minimum hours of care; you promised \$6,000 per resident; you promised a new long-term-care act, more funding, stiffer regulations and



better-trained workers. Broken promise, broken promise, broken promise. It has been two and a half years since you promised the long-term-care revolution; it's been one year since the Casa Verde inquest results. When are you going to keep your promises to the seniors in long-term care?

**Hon. Mr. Smitherman:** That is broken and unfounded rhetoric. Firstly, the honourable member can't back up the comments he is attributing to me, and then he adds a few more to the list. I think this is highly inappropriate behaviour.

With respect to the work that is being done in long-term care, I believe the honourable member's question diminishes the reality that thousands and thousands of people who work on the front line of health care, working with those who we agree are some of the most vulnerable in our society, have made tremendous strides to enhance the quality of care that is being provided. Only the honourable member, with one brush of his hand, can diminish the efforts that have been made to build a new sense of community, to move from the use of the word "facility" to "home," to create environments that work on that basis, to create a long-term-care system that can respond to the individual needs of people.

The honourable member wants to say that you need a certain amount of time and that the health care system should have no capacity invested in the workers to determine who needs what care. We believe in the front line workers. Why doesn't—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

#### SCHOOL BOARDS

**Mr. Frank Klees (Oak Ridges):** To the Minister of Education: The Ottawa Citizen profiled your predecessor this weekend with this headline: "Don't Let Kennedy's 'Success' Fool You: Liberal Leader Hopeful Has Left Schools a Mess." By now you've had your briefings and you must realize that another Kennedy legacy was the fact that he ignored school boards and their appeals to match his spending announcements with the appropriate funding. In fact, two of Ontario's largest school boards have now hired a lobbyist, at the cost of \$100,000, so that they can get the ear of the Ministry of Education regarding their funding crisis.

My question to you is, first, do you believe it's appropriate that school boards are using education tax dollars to lobby you, and second, will you change the *modus operandi*, sit down with these school boards and have a working meeting so that they can get the matching funding—

**The Speaker (Hon. Michael A. Brown):** The question has been asked.

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** I appreciate the question. I will say that a lot of your friends—Tory consultants—are paid an awful lot of money today by a number of people who are investing in lobbying the

government, so many of your own friends benefit from that. Even in two and a half years of being a member of the McGuinty cabinet, I have seen that, and yes, it's disturbing to me.

I worry that hard-found funding is spent on consultants when the reality is that, especially in education, if there is one thing our Premier is, it's the education Premier. We have seen an unprecedented investment in education.

I have to say that the member opposite will know more than most about the hole we are digging out of in the area of education. We have a long way to go, but we have made significant strides. We can't be driven by headlines; we have to be driven by good, solid education policy.

**Mr. Klees:** The hole that school boards are digging themselves out of is the announcements her predecessor made regarding education, and the lobbyist who is skimming precious education dollars to lobby you is none other than Warren Kinsella, who is a key member of the Liberal election campaign team. Minister, because you agree that it's fundamentally wrong for education tax dollars to be used to pay lobbyists to lobby you, will you step in and ensure that that contract is cancelled?

**Hon. Ms. Pupatello:** I think many people know this individual you speak of, and I think he does very well. Whether he should be doing this is up for discussion.

Let me tell you this: When I talk about the hole that we're climbing out of, your government, you in particular, sat at a cabinet table that removed over \$2 billion from the education system. We watched it. In fact, I watched it from your seat when you pulled that money out of the system. Ottawa school boards are looking after hundreds of schools that represent thousands of children, and I think they are doing a tremendous job in the face of what they have watched for many years.

We finally as a government want to step forward as a partner with our boards, a partner that in the end is going to focus on some significant benefits for kids. Those benefits are around smaller class sizes; they're about better test scores on numeracy and literacy; they're about having a lower dropout rate. Those are things that matter, and I am going to watch you in particular and how you intend to vote on Bill 70.

#### AKWESASNE INTERNATIONAL POWWOW

**Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh):** My question is to the Minister of Citizenship and Immigration. As you know, my riding of Stormont-Dundas-Charlottenburgh is deceptively diverse. While the perception is that the population is generally of British descent, with a significant francophone community, such is not the case. My riding is home to thriving Pakistani, Greek, Chinese and many other cultural and diverse groups, all representing the values of multiculturalism that are so important to the Canadian identity.

While immigration has enhanced the cultural fabric of my riding, one of the richest cultural heritages in the



region predates all the waves of settlers: the Akwesasneron, the Mohawk people who inhabit Akwesasne in my riding and parts beyond. These people have proud traditions and a remarkable heritage, which they share with the public through their annual powwow, one of the great events my riding hosts every year.

Minister, can you tell us what your ministry has done to support this heritage celebration?

**Hon. Mike Colle (Minister of Citizenship and Immigration):** I want to thank the member from Stormont-Dundas-Charlottenburgh for his question. As my ministry supports newcomers to Ontario—and we get 125,000 who choose Ontario every year—we must also invest in the celebration and the honouring of our founding peoples. First to be honoured should be our First Nations people. That's why my ministry, under Ontario's Community Builders project, is honoured to invest \$20,000 in the Akwesasne International Powwow that will be held September 9 and 10 this year. I think it's a great way of acknowledging the incredibly rich history that the Mohawk people have left this great province.

**Mr. Brownell:** Nyawen, Minister. That's "thank you" in the Mohawk language.

Chief Larry King of Akwesasne said of the funding, "The Mohawk Council of Akwesasne and the Akwesasne International Powwow Committee are extremely grateful for the \$20,000 provincial grant that will assist in addressing the operating costs of the Akwesasne International Powwow. The basic theme of the powwow remains a time of friendship, sharing, unity and a great deal of spirituality. We welcome everyone to celebrate First Nations culture with us."

Minister, through Ontario's Community Builders program, you have provided much-needed support to a number of important events and ethnic communities that make Ontario great, like the powwow of Akwesasne. Can you tell the members of this House a little more about the parameters of the program and the investments the McGuinty government is making to recognize and honour the contributions of the province's diverse communities?

**Hon. Mr. Colle:** I also want to congratulate Chief Larry King of Akwesasne and the Mohawk Council of Akwesasne for the wonderful work they're doing in celebrating the rich heritage of First Nations people of your great riding.

As you know, with Ontario's Community Builders program, we recognize the contributions of founding pioneering cultures and groups that have come to Ontario, whether it be the blacks who came to the Chatham-Kent area and founded North Buxton or whether it be the Scots who are celebrating their Highland Games again this summer in Glengarry. We must not forget the great contributions these early peoples made to Ontario, and especially our First Nations people.

Chief Larry King is saying to the whole world to come to your riding, and Akwesasne at Cornwall, on September 9 and 10 to celebrate this rich, rich heritage of our First Nations people.

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## GREENHOUSE GAS EMISSIONS

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** My question is for the Minister of the Environment. For nearly six months now, the Ontario trucking industry has been pleading with your government to make it mandatory for all trucks operating in Ontario to have their engines electronically speed-limited to prevent the truck from going any faster than 105 kilometres per hour. According to the Ontario Trucking Association, it's supported by groups like Pollution Probe, the Lung Association and Fleet Challenge Canada. One of the chief benefits of forcing all trucks to limit their speed is a significant reduction in emissions, particularly greenhouse gas emissions. In fact, they estimate that over 140 kilotonnes of greenhouse gas emissions would be eliminated each year if this proposal was adopted.

Minister, I know this issue is under consideration by the Minister of Transportation, and has been for quite some time now, but he has not acted on it, despite the obvious environmental benefits. I want to know if you and your ministry have looked into the environmental benefits of this proposal, and do you personally agree with all of these groups that reducing speeding by trucks will reduce air pollution coming from trucks?

**Hon. Laurel C. Broten (Minister of the Environment):** I'm so pleased to have an opportunity to answer a question from the opposition about greenhouse gases and climate change because our government believes that it is critical in this province that we start recognizing that climate change is the challenge of our generation and we need to step up to the plate and do something about it.

Let me tell you what our government is doing about climate change. We are the first jurisdiction in North America to say no to coal and stop burning coal. That is 30 megatonnes of greenhouse gases which will be eliminated in this province. Another critical element in our plan to stop greenhouse gases is 5% ethanol content in gasoline by 2007, and a great deal more public transit in the province. Those are some of the challenges we're taking in the Ministry of Environment in a cross-ministry approach to tackling greenhouse gases.

I know the Minister of Transportation will be pleased to answer your question specifically with respect to the trucking industry's perspective, which they brought forward when I had a chance to meet with them. I know—

**The Speaker (Hon. Michael A. Brown):** Thank you, Minister. Supplementary.

**Ms. Scott:** I don't believe we heard a yes or a no to that, but I'm kind of surprised that the minister has been provided with so little information about the effects of speeding trucks and their undeniably reducing air pollution if that's implemented. Every day, trucks are needlessly spewing out emissions that can and should be avoided simply because your government has refused to act. The trucking industry is demanding that you help



them eliminate these emissions, the environmental groups are asking you to eliminate these emissions, and safety groups ranging from the Traffic Injury Research Foundation, the CAA and the insurance bureau are telling you that it will not only save our air but save lives by making our roads safer.

Can you offer up one credible reason why your government continues to allow speeding trucks to pollute our air and endanger our lives, and if you cannot, will you give us a commitment today that you will personally intervene to get the Minister of Transportation to act now and introduce legislation, it being Earth Day on the 22nd of this month?

**Hon. Ms. Broten:** To the Minister of Transportation.

**Hon. Harinder S. Takhar (Minister of Transportation):** I am actually very pleased to answer this question. I have met with the Ontario Trucking Association not only once, but a few times. In BC, there is some—

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** Where?

**Hon. Mr. Takhar:** Come and talk to me later.

There is some merit to this issue, but there are other issues that we still need to resolve before we can even make any decision on this issue. The Minister of the Environment has been working very closely with me. The issue is that trucking is an interjurisdictional issue. We can't put speed limiters just in Ontario, because these trucks go outside Ontario—they go to Quebec, they go to the United States. So we want to make sure that our industry stays competitive when we look at these proposals, and we will work closely with the Ontario Trucking Association and the Ministry of the Environment.

#### NUCLEAR WASTE

**Mr. Peter Tabuns (Toronto–Danforth):** A question for the Minister of Energy: You're planning to waste approximately \$40 billion on nuclear power plants. That will be a financial disaster. But there's also a compelling environmental argument against more private nuclear power. In addition to private nuclear power being expensive and unreliable, there are serious concerns about nuclear waste. Minister, what is your plan to dispose of the high-level radioactive waste produced by nuclear power plants?

**Hon. Donna H. Cansfield (Minister of Energy):** I thank the member for the question. No decisions have been made on the Ontario power supply mix that will be coming shortly. For those nuclear plants that are operating and have nuclear waste, there is a provision for on-site containment of that waste. They work very closely with the federal government, which has the overall responsibility for nuclear waste, and there is a continuing financial commitment that has been put into not one but two funds for the containment of that waste.

**Mr. Tabuns:** Minister, your government's reckless plan for more private nuclear power raises serious questions about the environment and who's accountable when something goes wrong. Nuclear power is risky

power. There are risks of catastrophic accidents, routine radioactive emissions, and storing cancer-causing radioactive waste that remains poisonous for millions of years. In whose backyard are you going to be burying this radioactive waste that you are so eager to produce?

**Hon. Mrs. Cansfield:** As I indicated to the member, in fact, the nuclear waste that's currently on-site is contained on-site, and as I said, no decisions have been made about Ontario's future supply mix at this point. There is a federal responsibility that is involved, and we work very closely with the federal agencies and with our own Ontario Power Generation.

We've always said that we would maximize our existing assets, that we would maximize our existing transmission assets as well as generation, that we will build new, which we indicated today—a brand new renewable wind farm. We will continue to build a culture of conservation in this province. Those are the commitments we've made to the people of Ontario, because one of the things we will do is keep the lights on.

#### WATER QUALITY

**Mrs. Maria Van Bommel (Lambton–Kent–Middlesex):** My question is for the Minister of the Environment. Minister, could you explain to the House the level of consultation that took place prior to the introduction of Bill 43, the Clean Water Act, and any discussions you may have had with stakeholders since that introduction?

**Hon. Laurel C. Broten (Minister of the Environment):** First, I want to thank the member from Lambton–Kent–Middlesex for her advocacy on behalf of her community, the agricultural sector and rural Ontario in general. It's a pleasure to work with her and have her as a colleague.

As members of this House know, Bill 43 is groundbreaking legislation for Ontario. It builds on the vision that Justice O'Connor had for our province of protecting drinking water from source to tap. Because the legislation itself is so complex and so critical to future generations to protect our drinking water from being contaminated or depleted, we have, over the last three years, undertaken extensive consultation and essentially had a comprehensive approach to that consultation. We considered the recommendations of Justice O'Connor. We released a white paper. We undertook province-wide consultations. We posted the draft text of source water protection legislation on the EBR and received public comments. We've had two expert committees—a technical experts committee and an implementation experts committee—to help us and advise us of any difficulties we might have with respect to the implementation of the white paper. We've undertaken a series of sectoral round tables, touching with industry, agriculture, and a variety of other fronts. I'd be pleased to, in the supplementary, talk a little bit more about some of that sectoral-specific consultation.

**Mrs. Van Bommel:** Thank you, Minister. Having heard your response, I would like to ask you if you could explain why a member of the opposition is claiming that



this government has not been consulting with the agricultural sector.

**Hon. Ms. Broten:** That's such an important issue raised by the member for Lambton-Kent-Middlesex, Ms. Van Bommel, and I want to thank her for asking this question, because it is important for Ontarians, and in particular those in the agricultural sector, to have an understanding of the work that's been done by the advisory committees on their behalf.

Dr. John FitzGibbon, Dave Armitage, John Maaskant and Allen Gardiner all represented the Ontario Farm Environmental Coalition, the Ontario Farm Animal Council and the Ontario Federation of Agriculture. They deliberated for nearly a year on the details of source water protection planning and had a say in the final recommendations of those committees. MOE itself has had a number of sectoral-specific committees, meeting at least three times with the leadership from the agricultural community. Personally, I have had an opportunity to travel with my colleague from Perth-Middlesex to his community and meet agricultural leaders in that community, again on a number of occasions, both in Kitchener and Toronto, meet with the leaders from the agricultural community, to hear their concerns and receive their input with—

**The Speaker (Hon. Michael A. Brown):** Thank you.

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#### CORONER'S INQUESTS

**Mr. Cameron Jackson (Burlington):** My question is to the Minister of Children and Youth Services. Minister, in the last two months, four more children have died at the hands of a parent with a well-documented abusive past. Additionally, these children were under court-ordered supervised—and in some cases unsupervised—access. Minister, your responsibility is child welfare and child protection. Do you personally believe that there should be some circumstances in this province where, when a child dies, there would be an automatic coroner's inquest?

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** As a matter of fact, the coroner is engaged in these types of issues and reviews a lot more cases than the public tends to necessarily know about. I believe the coroner has a very important role to play. My ministry has been working very closely with the coroner; the coroner is very pleased with our relationship.

**Mr. Jackson:** Minister, if you've been working closely with the coroner, maybe you should check the coroner's website, because currently there are 15 coroners' inquests going on in this province this month for criminals who have died while in custody, yet we cannot find any in this province's history where a child, while under a custody order themselves, dies at the hands of an abusive parent.

My question to you, Minister: As the minister responsible for child protection, do you not feel that children who are victims of abuse and who die should, under

certain circumstances, get an automatic coroner's inquest? Criminals enjoy that privilege in this province. Do children not deserve similar benefits and rights to have a voice from the dead so that this abuse that's going on to these children and these children who are dying—that we can lessen the impacts and lessen the number of children dying in our province?

**Hon. Mrs. Chambers:** The Minister of Community Safety and Correctional Services.

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I'd like to respond to the member and just tell him what the situation is. The coroner had announced just last week that he has directed his coroners to automatically conduct a review of any death of any child while under the care or supervision of a children's aid society. He will then, at the end of the year, file a report on his comments and recommendations.

To relate to the situation where you mention the website, all of these criminals—the reason is not necessarily limited to criminals. Under the Coroners Act, for anyone who dies within a correctional facility, or in the custody of a police officer, or in a mine accident, it is mandatory that that particular situation be investigated by an inquest. Coroners have the authority to call an inquest any time they want to, but that will only be done on the coroners' determination, and it isn't in our role to interfere with that because they're arm's length, they are professionals—

**The Speaker (Hon. Michael A. Brown):** Thank you.

#### TOWING INDUSTRY

**Mr. Peter Kormos (Niagara Centre):** A question to the Premier. Sir, Ontario's towing association says that outlaw bikers and other renegades are racing around our highways in tow trucks because the province permits a free-for-all in the industry. When are you going to stop passing the buck to municipalities and ensure that tow trucking is properly regulated at the provincial level?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** The Minister of Community Safety.

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** Municipalities have the responsibility for municipal licensing of tow truck drivers. You should know that the vast majority of tow trucks are run by legitimate operators, and they do a job. There is also a legitimate group of people who are bikers. So just because you're a biker or you're a tow truck operator doesn't mean you're criminal. It's only when you add the third component, and that's criminal activity, that you get a problem with criminals, bikers and tow truck operators. We have a bikers' group in the OPP that monitors what is happening, but it is still the responsibility of the municipality to grant a licence for a tow truck operator. They have to do criminal checks to make sure that they don't have a criminal record that would prohibit them from operating a tow truck. We also have



bikers who are legitimate organizations that do their work. It would be unfair for us to label everybody as a criminal because they happen to be involved in either one of those activities.

**Mr. Kormos:** Regulations are not to protect the public from the good guys or from legitimate operators; regulations are to protect the public from outlaw bikers driving tow trucks or other members of organized crime.

How much more evidence do you need? The Provincial Towing Association of Ontario has spent years lobbying your government in trying to get some rules in place to protect the public. It says that municipal licensing of tow truck drivers simply doesn't work. The association wants the province to step in, protect the public and keep outlaw bikers and organized criminals off the highways and from behind the wheels of tow trucks. You've refused to take the steps needed to protect the public. Why is that?

**Hon. Mr. Kwinter:** I have responsibility for enforcement; I don't have responsibility for creating the regulations to do this.

I have a copy of the application form from the city of Toronto when they grant a licence to a tow truck operator, in which they specifically ask: Do you have a criminal record? Have you ever served time in jail? Have you done any of those things? Not only that, but they have to sign a waiver that allows the municipality to do a criminal check. That is their responsibility and they have the tools to do it. If there is more that they require, then the association should make representations to the proper licensing authority.

### ENDANGERED SPECIES

**Mr. Kevin Daniel Flynn (Oakville):** My question today is to the Minister of Natural Resources, and it's regarding the Endangered Species Act. Many organizations and interest groups in my own community of Oakville and across the province have questions regarding the updating of the Endangered Species Act. It's their belief that Ontario's Endangered Species Act is currently outdated and is not doing the job of protecting Ontario's many endangered species. Scientists have currently identified 190 endangered species in Ontario, of which only 43 are currently protected by the act.

Minister, would you tell the House what you are doing currently to ensure that Ontario's species are protected from harm, and how the Endangered Species Act will be updated in the near future?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I know the member from Oakville is always very concerned about environmental issues, and I applaud him on his work on this and in regard to the Trafalgar moraine.

I would like to assure him that our government is committed to bringing in a new species-at-risk act so that we can strengthen our protection for endangered species. Our new act that is going to be put in place will have very effective measures to protect species at risk, espe-

cially a science-based listing process that is going to be very important—it's going to help them recover—and meaningful protection for habitats. I don't have to remind the speaker that if we don't protect the habitats, then we really haven't gone far enough to protect the species themselves. So we're going to be doing that.

I'd also say to the member that we've actually nominated an advisory panel that's going to help us with this legislation. I'm sure the member will be interested to know exactly what that advisory panel is going to do for us.

**Mr. Flynn:** Thank you, Minister—an excellent answer. I'm pleased to hear that you're undertaking a review of the Endangered Species Act.

Ontario is home to many different kinds of plants and animals. My own community of Oakville is home to those same plants and animals. It's part of the unique character, and it's something I feel that we as a government have a duty to protect.

The primary concern of many organizations and interest groups on this issue is a loss of habitat. Loss of habitat appears to be the leading reason that species ended up being classified as endangered in the first place. It appears that habitat is being gobbled up by humans on a daily basis through a variety of activities, including urban sprawl. Minister, will you tell the House how this new act will protect that crucial habitat for plants and animals and in turn protect Ontario's endangered species?

1500

**Hon. Mr. Ramsay:** I'm very happy to have that question, but I would like to address the advisory panel a little more for the member, because I know he really is interested, even though he didn't directly ask me that question in the House today. I think it's very important that we have this panel take a look at what we are proposing and that we have a full consultation with them. We have designed a paper that we want to make sure they have a good look at, and that they go out into the community and start to pick up the information we need in order to strengthen our act.

What's going to be especially important is the recovery plans that are initiated in order to make sure that species at risk survive and flourish. That's going to be a very important part of it.

In the end, I would say to the member that we want to make sure that the piece of legislation that does come forward will be the best in this country.

### WINE INDUSTRY

**Mr. Tim Hudak (Erie-Lincoln):** A question to the Minister of Economic Development and Trade: Your deputy minister, Don Black, recently sent out letters with cheques in them to Ontario wineries, and here's a response from one of those wineries: "We learned that there are many wineries that received between \$45,000 and \$100,000 in assistance. We also have learned that there are several wineries that have received support



ranging from \$500 to \$5,000," including this particular winery. It goes on to say, "I know that we sell two to three times as much VQA wine"—again, 100% Ontario wine—"as some of the wineries that received \$45,000," and up. Minister, how is that possible, and can you explain the formula you used to hand out these cheques?

**Hon. Joseph Cordiano (Minister of Economic Development and Trade):** In this year's budget, we announced \$3 million for small and medium-sized producers of Ontario Vintners Quality Alliance wine in 2005-06. It's a recognition that this year, they did in fact face a short crop. They did face that difficulty. It's a recognition that the small wineries are facing these challenges, and these were funds designed to assist the small vintners to overcome those challenges. So this is how it was allocated, with a view to assisting the small vintners.

**Mr. Hudak:** I appreciate the minister's answer, but again, I'd ask for the specific formula that was used, because it was in fact the smallest craft wineries that received the lowest amount of funding. As this writer talked about, he's wondering how it could be that his grant was much lower when he sells more wine than others.

I ask you, instead of giving out mystery cheques at the end of the year, wouldn't it be better to actually improve shelf space at the LCBO and also develop a parallel system of wine stores like the Ontario VQA wine stores, to give better market access to these small craft producers?

**Hon. Mr. Cordiano:** It's interesting that this member, while he was in government, did very little to that effect. In fact, he was the minister responsible, and time and again, they completely ignored the industry, completely ignored this question. I'd like to know what he did when he was the minister—absolutely very little.

The fact is the program, as I said, was designed to help small and medium-sized VQA wine producers, and it was allocated on the basis of where the need was greatest. This is precisely what we tried to do: to recognize that these vintners are indeed facing a challenge as a result of the short crop this year. Getting over that difficult circumstance is what this is all about, and we're very proud to help the wine industry in Ontario.

#### YOUNG OFFENDER FACILITY

**Mr. Peter Kormos (Niagara Centre):** A question to the Premier: Kennedy House is a young offenders' facility in Ajax. Its workers have been on strike for three weeks now, and every inmate has been moved out of that facility for those three weeks. Can you explain why your government continues to provide full funding to Kennedy House Youth Services Inc. even though it's empty?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Children and Youth Services.

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** Funding is being provided to this centre so they can care for the kids whom they're responsible for. The fact that their workers may

not be on the job does not mean that these kids are not being cared for, and Kennedy has taken the appropriate steps to ensure that these kids are placed where they can be cared for.

**Mr. Kormos:** That's the point, Minister: All the inmates have been shipped out; the place is empty. The workers aren't being paid because it's a work stoppage; it's a legal strike. The workers are concerned because—and you do know this—their wages and working conditions are way out of line with other Ontario facilities and it's hurting the young people they are trying to help. These workers are off the job because they're trying to improve working conditions and conditions for those inmates, and you're making it harder for them by paying their boss, their employer, big bucks to operate an empty facility. Why would your government spend money—taxpayers' money—to maintain and fully fund an empty facility that doesn't contain any inmates and isn't paying any of its staff?

**Hon. Mrs. Chambers:** I can tell the member that I have personally visited Kennedy House. It's a beautiful facility, actually, and the kids there are very well cared for. As it happens, I actually know some of the staff. It is my desire that the wonderful staff at Kennedy House and their management will be able to come to a satisfactory conclusion of their negotiations as soon as possible, because it is a good facility and the kids there are well cared for. I have a lot of respect for all parties concerned.

The kids are being cared for, even though they're not in the facility right now, and that does entail a cost, which my ministry will continue to provide.

#### PUBLIC TRANSPORTATION

**Mr. Mario G. Racco (Thornhill):** My question is for the Minister of Transportation. My riding of Thornhill is rapidly expanding. Gridlock is not an acceptable way of life for my constituents. The investment our government has made in public transit and highways to the region of York is essential, especially the subway extension to the Vaughan Corporate Centre.

Minister, I know that the province has brought in \$670 million, which is in the bank earning interest for the people. What have the feds done in this matter?

**Hon. Harinder S. Takhar (Minister of Transportation):** I am actually very proud of the fact that we made a very substantial investment in public transit in our recent budget. This investment was required to address some of the congestion issues that the member from Thornhill has raised. Out of that, \$838 million was to provide public transit in York, Brampton, Mississauga and Toronto—to proceed with their projects—and the \$670 million that the member talks about is for expansion of the subway up to the Vaughan Corporate Centre. We have actually allocated one third of our share that is required to finish this project. I want to encourage the municipality, the municipal government and the other level of government, the federal government, to match those funds so we can move ahead, start this project and complete it on time.



**Mr. Racco:** Minister, the people of the region of York are very pleased with the money that you have allocated for the Spadina subway extension, plus the monies that were given for the second phase of Viva, and certainly we are looking forward to the third phase of Viva coming in the near future.

But the question I have for you is, considering that the feds have not come to the table at this time, and considering that the people of Thornhill, Vaughan and vicinity want the subway today and not five years from now, what would you suggest that I do in my riding so that my constituents of Thornhill and vicinity will be able to assist us to get the feds to the table to bring the money they haven't brought yet?

**Hon. Mr. Takhar:** This is an important project for us to address the congestion issues, not just in York, but also in Toronto, Mississauga and Brampton. That's why our government made major investments in public transit projects in our last budget. I want as well to thank the Minister of Finance for taking care of those issues.

I would encourage the members to talk to their federal counterparts to encourage them to actually match these funds so that we can start and move ahead with some of these important projects.

1510

## PETITIONS

### CONVENIENCE STORES

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** On behalf of the Ontario Korean Businessmen's Association, I have a petition to the Legislative Assembly of Ontario.

"Whereas the Ontario Korean Businessmen's Association (OKBA) represents 3,000 family-owned and -operated small convenience store businesses across Ontario who are being driven out of business by the McGuinty government; and

"Whereas the McGuinty government has hurt OKBA members by hiking WSIB rates, hiking commercial hydro rates, and dumping the high costs of implementing Bill 164 on these small family-run businesses;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Convenience stores are the last family-run businesses in every neighbourhood throughout Ontario and are in urgent need of both compensation and help from the government to allow replacement categories for tobacco products."

This is a good petition. I support it and I affix my name to it.

### COMMUNITY MEDIATION

**Mr. Bob Delaney (Mississauga West):** I have a petition to the Ontario Legislative Assembly, and I'd like to thank Shabnam Bhagat for gathering some signatures for it. The petition reads as follows:

"Whereas many types of civil disputes may be resolved through community mediation delivered by trained mediators, who are volunteers who work with the parties in the dispute; and

"Whereas Inter-Cultural Neighbourhood Social Services established the Peel Community Mediation Service in 1999 with support from the government of Ontario through the Trillium Foundation, the Rotary Club of Mississauga West and the United Way of Peel, and has proven the viability and success of community mediation; and

"Whereas the city of Mississauga and the town of Caledon have endorsed the Peel Community Mediation Service, and law enforcement bodies refer many cases to the Peel Community Mediation Service as an alternative to a court dispute; and

"Whereas court facilities and court time are both scarce and expensive, the cost of community mediation is very small and the extra expense incurred for lack of community mediation in Peel region would be much greater than the small annual cost of funding community mediation;

"Be it therefore resolved that the government of Ontario, through the Ministry of the Attorney General, support and fund the ongoing service delivery of the Peel Community Mediation Service through Inter-Cultural Neighbourhood Social Services."

This is an excellent petition. I agree with it completely, and I'll ask page Andrew to carry it for me.

### CONVENIENCE STORES

**Mr. Ernie Hardeman (Oxford):** I have here a petition from the Ontario Korean Businessmen's Association that was presented to me today on the front lawn here at Queen's Park. It is to the Legislative Assembly of Ontario.

"Whereas the Ontario Korean Businessmen's Association (OKBA) represents 3,000 family-owned and -operated small convenience store businesses across Ontario who are being driven out of business by the McGuinty government; and

"Whereas the McGuinty government has hurt OKBA members by hiking WSIB rates, hiking commercial hydro rates, and dumping the high costs of implementing Bill 164 on these small family-run businesses;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Convenience stores are the last family-run businesses in every neighbourhood throughout Ontario and are in urgent need of both compensation and help from the government to allow replacement categories for tobacco products."

I affix my signature as I agree with it. I will give it to Justin to bring to the table.

### CHILD CARE

**Mrs. Liz Sandals (Guelph-Wellington):** I have a petition to the Legislative Assembly of Ontario.



"Whereas the people of Ontario expect the government of Canada to honour existing agreements with the government of Ontario;

"Whereas provinces and territories negotiated agreements with the federal government to ensure Canadians would have access to early learning and child care programs that are high-quality, affordable, universally inclusive and developmental;

"Whereas parents in Ontario have demonstrated a high demand for greater access to high-quality early learning and child care programs;

"Whereas Ontario's early learning and child care agreement with the government of Canada would provide Ontario families with at least 25,000 new, high-quality, regulated child care spaces in the first three years;

"Whereas Ontario's early learning and child care agreement represents a \$1.9-billion investment over five years in high-quality early learning and child care;

"We, the undersigned, petition the Legislative Assembly of Ontario to support the government of Ontario in calling on the government of Canada to honour Ontario's early learning and child care agreement, for the sake of the thousands of Ontario families who would benefit from it."

I agree with this petition and I will ask Raelene to bring it to the table.

#### LONG-TERM CARE

**Mr. Ted Chudleigh (Halton):** I'm presenting a petition from Mount Nemo Christian Nursing Home. Andrew Sturroch from my riding is here to accept it for me.

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and....

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years...."

I agree with this and I'll affix my signature.

#### SCHOOL BUS SAFETY

**Mr. Ernie Parsons (Prince Edward-Hastings):** "To the Legislative Assembly of Ontario:

"Whereas it has been shown that crossing control arms on school buses reduce or virtually eliminate instances of students being struck by their own bus; and

"Whereas 91% of all front-bumper fatalities involve buses not equipped with crossing control arms; and

"Whereas the safety of the children of Ontario is our number one priority;

"We, the undersigned, petition the Legislative Assembly of Ontario to require that all future school buses be equipped with crossing control arms and that all existing school buses be required to be immediately retrofitted with crossing control arms."

I am in agreement and am pleased to sign this petition.

#### CONVENIENCE STORES

**Mrs. Julia Munro (York North):** "To the Legislative Assembly of Ontario:

"Whereas the Ontario Korean Businessmen's Association (OKBA) represents 3,000 family-owned and -operated small convenience store businesses across Ontario who are being driven out of business by the McGuinty government; and

"Whereas the McGuinty government has hurt ... members by hiking WSIB rates, hiking commercial hydro rates, and dumping the high costs of implementing Bill 164 on these small family-run businesses;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Convenience stores are the last family-run businesses in every neighbourhood throughout Ontario and are in urgent need of both compensation and help from the government to allow replacement categories for tobacco products."

As I am in complete agreement, I have affixed my signature.

#### SOCIAL SERVICES FUNDING

**Mr. Kuldip Kular (Bramalea-Gore-Malton-Springdale):** This petition is to the Legislative Assembly of Ontario:

"Whereas the spending on most social services has been frozen since the early 1990s under both the Rae and Harris governments; and

"Whereas the population of the region of Peel has approximately tripled in that time period and the social risks have increased;

"Whereas demand for services has exploded as a result of population and other social changes;

"It is now noted that the people of the region of Peel receive 50% less funding on a per capita basis than the average provincial per capita funding for social programs and that other high-growth regions in the province such as York region are similarly affected;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Community and Social Services correct this imbalance in their new programs and through the reform of the funding formulae for its old programs within a three-year time frame;

"That the Ministry of Children and Youth Services continue to correct this imbalance in their new programs and introduce fundamental reform of their funding

policies to correct this imbalance within the next three years as well."

I support this petition and I affix my signature as well.

1520

### CONVENIENCE STORES

**Mr. Frank Klees (Oak Ridges):** I have a petition that was presented to me by the Ontario Korean Businessmen's Association, many of whom were in the front yard of Queen's Park today, from Newmarket, Aurora, Richmond Hill and Markham, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Korean Businessmen's Association (OKBA) represents 3,000 family-owned and -operated small convenience store businesses across Ontario who are being driven out of business by the McGuinty government; and

"Whereas the McGuinty government has hurt the OKBA members by hiking WSIB rates, hiking commercial hydro rates, and dumping the high costs of implementing Bill 164 on these small family-run businesses;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Convenience stores are the last family-run businesses in every neighbourhood throughout Ontario and are in urgent need of both compensation and help from the government to allow replacement categories for tobacco products."

I'm pleased to affix my signature, as I agree with them, and I will present it to page Meghan.

### SPRING BEAR HUNT

**Mrs. Carol Mitchell (Huron-Bruce):** I have 228 signatures on the petition and I would just like to state that it is for the reinstatement of the spring bear hunt.

"Therefore, be it resolved that we petition the government of Ontario and the Ministry of Natural Resources:

"In the interests of public safety and scientific wildlife management, the government should immediately return a spring bear hunt to Ontario."

I am affixing my signature to this petition.

### CONVENIENCE STORES

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** On behalf of the Ontario Korean Businessmen's Association:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Korean Businessmen's Association (OKBA) represents 3,000 family-owned and -operated small convenience store businesses across Ontario who are being driven out of business by the McGuinty government; and

"Whereas the McGuinty government has hurt [these] members by hiking WSIB rates, hiking commercial

hydro rates, and dumping the high costs of implementing Bill 164 on these small family-run businesses;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Convenience stores are the last family-run businesses in every neighbourhood throughout Ontario and are in urgent need of both compensation and help from the government to allow replacement categories for tobacco products."

I here affix my signature.

### COMMUNITY MEDIATION

**Mr. Wayne Arthurs (Pickering-Ajax-Uxbridge):** The petition is to the Ontario Legislative Assembly.

"Whereas many types of civil disputes may be resolved through community mediation delivered by trained mediators, who are volunteers who work with the parties in the dispute; and

"Whereas Inter-Cultural Neighbourhood Social Services established the Peel Community Mediation Service in 1999 with support from the government of Ontario through the Trillium Foundation, the Rotary Club of Mississauga West and the United Way of Peel, and has proven the viability and success of community mediation; and

"Whereas the city of Mississauga and the town of Caledon have endorsed the Peel Community Mediation Service, and law enforcement bodies refer many cases to the Peel Community Mediation Service as an alternative to a court dispute; and

"Whereas court facilities and court time are both scarce and expensive, the cost of community mediation is very small and the extra expense incurred for lack of community mediation in Peel region would be much greater than the small annual cost of funding community mediation;

"Be it therefore resolved that the government of Ontario, through the Ministry of the Attorney General, support and fund the ongoing service delivery of the Peel Community Mediation Service through Inter-Cultural Neighbourhood Social Services."

I'll affix my signature to it and send it off with page Raelene.

### CONVENIENCE STORES

**Mr. Tim Hudak (Erie-Lincoln):** I'm pleased to present a petition on behalf of the Ontario Korean Businessmen's Association and congratulate them for their very successful rally today. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Korean Businessmen's Association (OKBA) represents 3,000 family-owned and -operated small convenience store businesses across Ontario who are being driven out of business by the McGuinty government; and

"Whereas the McGuinty government has hurt OKBA members by hiking WSIB rates, hiking commercial



hydro rates, and dumping the high costs of implementing Bill 164 on these small family-run businesses;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Convenience stores are the last family-run businesses in every neighbourhood throughout Ontario and are in urgent need of both compensation and help from the government to allow replacement categories for tobacco products."

In support of the association, I affix my signature.

## ORDERS OF THE DAY

### PROVINCIAL PARKS AND CONSERVATION RESERVES ACT, 2006

#### LOI DE 2006 SUR LES PARCS PROVINCIAUX ET LES RÉSERVES DE CONSERVATION

Mr. Ramsay moved second reading of the following bill:

Bill 11, An Act to enact the Provincial Parks and Conservation Reserves Act, 2005, repeal the Provincial Parks Act and the Wilderness Areas Act and make complementary amendments to other Acts / *Projet de loi 11, Loi édictant la Loi de 2005 sur les parcs provinciaux et les réserves de conservation, abrogeant la Loi sur les parcs provinciaux et la Loi sur la protection des régions sauvages et apportant des modifications complémentaires à d'autres lois.*

**The Acting Speaker (Mr. Ted Arnott):** I'm pleased to recognize the Minister of Natural Resources for his leadoff speech.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** It's a pleasure to rise in my place today and address the House in regard to the second reading of Bill 11, the Provincial Parks and Conservation Reserves Act. This legislation, if passed, would ensure that our protected areas stay strong and healthy, to be enjoyed by Ontarians now and into the future. Bill 11 would make ecological integrity the first priority in the planning and management of parks and conservation reserves, and it would ensure that our provincial parks are permanently protected.

In September 2004, we launched a major review of the provincial parks legislation for the first time in 50 years. The last time the Provincial Parks Act was reviewed, there were only eight provincial parks. Times have certainly changed, and so has our park system, for today we have 319 provincial parks as well as 280 conservation reserves and 10 wilderness reserves or areas across the province. This adds up to an astounding park system that provides places for people to enjoy the outdoors. In fact, more than 10 million people make visits each year to the Ontario provincial park system.

As a society, we now appreciate how important protected areas are to the health, vitality and economic

prosperity of Ontario. We know much more about conservation science, including what we should be protecting and how we should be going about it. Given all that has changed, a thorough review of our protected areas legislation was long overdue.

To begin the review, we outlined eight legislative proposals and carried out far-reaching consultations on those proposals. The proposals addressed the following topics:

- the principles that should guide the management of protected areas;

- the goals and objectives to be included in the legislation;

- the classification and zoning of parks;

- the assessment of wilderness areas;

- making management direction for all parks mandatory and requiring regular reports on the state of protected areas;

- prohibitions on major industrial uses in parks;

- continuing to address non-industrial uses in parks policy; and finally

- administration and enforcement in the parks themselves.

We asked for public input on these proposals, both through the Ontario Parks website and through nine open houses right across the province. Many people responded, including more than 1,500 who completed an online survey. We received more than 140 written submissions from aboriginal organizations, provincial stakeholders and other interested groups and individuals, as well as more than 1,100 letters and faxes.

I also wanted to hear from people who were knowledgeable about our system of parks and protected areas. I'm very pleased that the board of directors of Ontario Parks examined the legislative proposals, met with stakeholders, reviewed all the comments we received and provided me with very thoughtful advice. I want to thank all those who shared their ideas and recommendations with us.

The honourable members may be interested to know that 75% of the comments we received supported our proposals. In fact, I'd like to read to the honourable members from the comments on Bill 11 submitted by the Wildlands League, a division of the Canadian Parks and Wilderness Society. They said:

"We applaud the government of Ontario's efforts to set out on a new path toward meaningful, long-term ecological stewardship of parks and conservation reserves in Bill 11. With its strong commitment to put nature first in parks and conservation reserve management, the proposed Provincial Parks and Conservation Reserves Act takes Ontario from the back to the front of the pack in terms of protecting parks, wildlife and wilderness—natural assets that for far too long have had only paper-thin protection in the province."

1530

The new Provincial Parks and Conservation Reserves Act that I am introducing for second reading today responds to the need for updated legislation. If passed, it would help guide the course of our protected areas



through the 21st century. Bill 11 advances the protection of Ontario's parks in a number of important ways.

First, the new act would make ecological integrity a first priority when planning and managing parks and conservation reserves. This means we would ensure all the many elements that make up healthy ecosystems in parks are maintained intact for future generations. Ontarians are celebrating the introduction of groundbreaking new legislation that will help protect over 600 provincial parks and conservation reserves in the province. On October 25, 2005, the new Parks and Conservation Reserves Act received its first reading in the Ontario Legislature, laying the groundwork for a brighter future for natural spaces across the province. Protecting these special places by strengthening the ecological integrity is a key objective of the proposed act and supports the goals and objectives of Ontario's biodiversity strategy. It also complements our natural spaces program, the Greenbelt Act and the government's focus on a healthier environment for the people of Ontario.

Second, Bill 11 would for the very first time consolidate in one act the legislative direction for the provincial parks and conservation reserves, and we will be conducting a review of whether the legislative direction for wilderness areas would also be included. Right now, the provincial parks are governed by the Provincial Parks Act. The conservation reserves come under a regulation of the Public Lands Act, and wilderness areas come under the Wilderness Areas Act of 1959. The existing legislation is out of date and does not provide the level of protection that Ontarians expect for these treasured natural spaces. Putting most or all of the legislation in one act would enhance transparency and ensure that these areas receive a consistently high level of protection. While conservation reserves and provincial parks would be governed by one act, the key differences between these types of protected areas would be maintained.

Third, the proposed act would recognize important objectives for provincial parks and conservation reserves. Provincial parks and conservation reserves would be dedicated to the people of Ontario for their inspiration, education, health, recreational enjoyment and benefit. At the same time, the intention would be that the ecological integrity of parks and conservation reserves would be maintained and left unimpaired for future generations.

The objectives of the provincial parks would be to protect natural heritage, to facilitate scientific research, to provide places for compatible outdoor recreation and the benefits associated with recreation, and to provide opportunities for natural heritage education.

The objectives for conservation reserves would be to protect our natural heritage, to facilitate scientific research, and to allow ecologically sustainable land uses, including recreation and the benefits associated with those land uses.

The proposed act would recognize that a wider array of traditional land use activities may occur in conservation reserves. For example, sport hunting would continue in conservation reserves unless regulations were

put in place to restrict it. Including these varied objectives in the act would make two points very clear: first, that maintaining ecological integrity is the priority of maintaining protected areas, and second, that protected areas serve other purposes as well. They play an important role as benchmarks for scientific research, especially as we experience the effects of climate change on ecosystems and species. They are great places to educate people of all ages about nature, and many protected areas, especially provincial parks, are used extensively for outdoor recreation.

As I said earlier, Ontario's provincial parks host more than 10 million visitors annually. Parks also contribute more than \$380 million to the Ontario economy. The proposed act would recognize the importance of recreation for the health and enjoyment of all Ontarians, and would recognize the economic benefits that nature-based recreation and tourism provide for communities right across this province.

Another important advance in Bill 11 is that we are proposing greater accountability and transparency under this new legislation. The new act would require the minister to report to the public every five years about the health of our protected areas system. People would be able to learn how good a job we are doing in maintaining ecological integrity, ecological representation, economic benefits and a range of other indicators of the health of our parks.

I also want to recognize that Bill 11 includes important new requirements about planning for protected areas. Currently, parks planning is directed by policies and not by legislation. Under the proposed act, the province would have to prepare formal management directives for provincial parks and conservation reserves. The planning process would have to include consultation, and there would be an annual review to decide whether a park's management direction should be reconsidered when it is 10 or more years old.

The sixth point I would like to make about Bill 11 is that provincial park and conservation reserve boundaries would be established by cabinet regulation under the proposed act. This would continue the current practice. Ontarians want to be sure that protected areas continue to be protected for future generations. We are therefore proposing that the Legislature would have to approve any significant deletion for a provincial park or conservation reserve. A significant deletion would mean more than 2% or 100 hectares, whichever is less, or the elimination of an entire area.

To provide administrative flexibility, some exceptions would not need the approval of the Legislature. Cabinet could delete up to 2% or 100 hectares, whichever is less, from a park or a conservation reserve. Cabinet could also proceed without the Legislature's approval if all or part of a protected area were to be deregulated to fulfill a treaty settlement, become part of a national park or for a land exchange that would enhance protection.

Another critical feature of the new act is that our provincial parks and conservation reserves should be avail-



able for the benefit of the public and not reserved for private use. The new act would prohibit the granting of new leases and land use permits for solely private use. However, the act does allow for some flexibility. It would provide for those who currently hold leases or land use permits to have them continued. New commercial uses could be considered, since they may be necessary to support the nature-based tourism industry. Of course, privately owned land next to protected areas will not be subject to the proposed act.

The legislation would also prohibit industrial uses, such as mining, logging, aggregate extraction and electric power generation, in our parks and protected areas, with some carefully planned exceptions such as in Algonquin Provincial Park: Logging could continue on Algonquin Park's recreational utility zone.

I want to emphasize that industrial activities have been banned by our parks policy for many years. We want to ensure that industrial activities continue to be clearly off-limits in provincial parks and conservation reserves throughout the 21st century, a prohibition that is consistent with accepted international standards for protected areas. In the case of Algonquin Park, the wood supply from Algonquin plays a critical role in supporting the region's economy. The logging that does take place is carefully managed by the Algonquin Forest Authority, in accordance with the Algonquin Park management plan and a forest management plan approved under the Crown Forest Sustainability Act.

In addition, I am committed to ensuring that the ecological footprint of such logging is as small as possible. I have asked the board of directors of Ontario Parks to advise me if and how the ecological footprint of logging in Algonquin Park can be reduced.

This proposed act would also include provisions to require that a minimal amount of aggregate is used for logging roads.

The new act would grandparent existing operations in protected areas, including three hydroelectric facilities and some licensed aggregate pits.

**1540**

I also want to ensure that protected areas do not unduly restrict resource development in surrounding areas. That's why the new act would allow some timber or mining access roads through protected areas to be considered, subject to certain conditions.

I consider it important to allow remote communities the possibility of ending their reliance on diesel generators, where there is a potential for hydroelectric development. The act therefore would include a provision that permits the Lieutenant Governor in Council to allow hydro development that will serve communities not currently connected to the provincial grid for electric power distribution.

Finally, Bill 11 would provide enhanced tools for the administration and enforcement. My aim here is to ensure that our provincial parks and conservation reserves can be adequately protected. To accomplish this, the act would provide a range of powers for the Lieutenant

Governor in Council to make regulations that would protect plants, animals and property, and for the purposes of public safety. The minister would be able to make regulations for the sound administration of these areas.

As part of the government's plan to strengthen parks legislation, we also propose to implement a recommendation from the Ontario Parks board of directors. The board had recommended that we assess Ontario's 10 wilderness areas, and through the assessment, we will determine if these areas, which cover about 900 hectares, should become provincial parks or conservation reserves, or be returned to crown land status. Once the process is complete, we intend to repeal the Wilderness Areas Act. Of course, we will consult before making any final decisions about how the 10 wilderness areas are dealt with.

As well as developing a new parks act, the government is seeking non-legislative ways to support our plan to protect Ontario's provincial parks and conservation reserves. We therefore intend to develop for consideration by cabinet a non-legislative policy aimed at ensuring activities on crown land next to protected areas do not affect the ecological integrity of those areas. The policy would continue to support and promote sustainable resource and community development, and would be subject to consultation.

I want to conclude by saying that the public supports Bill 11, the Provincial Parks and Conservation Reserves Act. In fact, when we introduced Bill 11, Ontario Nature said, "Ontarians are celebrating the introduction of groundbreaking new legislation" that is "laying the groundwork for a brighter future for natural spaces across the province."

Ontarians recognize that this act, if passed, would strengthen the permanent protection and ecological integrity of Ontario's provincial park and conservation reserves. Bill 11 is part of our commitment to build a stronger and healthier and more vital Ontario for today and for the future.

As I take my seat now in the House, I would like to say that I am going to be sharing my time with my parliamentary assistant, the member from Sault Ste. Marie.

**Mr. David Orazietti (Sault Ste. Marie):** It's my pleasure this afternoon to follow some of the comments made by the Minister of Natural Resources with respect to the Provincial Parks and Conservation Reserves Act. I'm pleased to rise in the House today to support the Minister of Natural Resources on second reading of Bill 11.

In the speech from the throne last October, our government committed to introducing legislation that would ensure our precious provincial parks are protected forever. We introduced this legislation later in the same month. This legislation, if passed, would strengthen the permanent protection and preservation of Ontario's provincial parks and conservation reserves. It would make ecologically sensitive areas protected under the act, and it would make ecological integrity the first priority in



parks planning and management. This bill is just one of the steps this government has taken to conserve Ontario parks, green space and environmental lands, as well as agricultural lands and recreation and resource lands, to ensure our communities are strong and healthy for generations to come.

As this House knows, we've passed the Greenbelt Act. We have strengthened the provincial policy statement by setting clearer ground rules for how Ontario communities will grow and prosper, and we have developed the greater Golden Horseshoe growth plan and the proposed central Pickering development plan. We have also passed the Duffins Rouge Agricultural Preserve Act—all working to strengthen important resources in our province. We have put in place Ontario's biodiversity strategy. We have also established the natural spaces program and, in partnership with Nature Conservancy Canada, we have launched the Great Lakes conservation blueprint for biodiversity. All of these initiatives are vital steps towards a healthy environment and a great quality of life that will ensure that Ontario is the place to be now and in the future.

Ontario's biodiversity strategy, for example, is intended to conserve our natural heritage and ensure our province's natural resources are used in a sustainable fashion for the benefit of all Ontarians. The term "biodiversity" refers to every living thing and all the processes through which living things interact. Human beings depend on biodiversity for survival. Natural processes clean the air we breathe, purify the water we drink and stabilize our climate. The diversity of natural life also provides enormous economic community benefits. Where would we be without forestry, farming, fishing and outdoor recreation?

We face a Catch-22: The human activity that depends on biodiversity also threatens our very biodiversity. Our rapidly growing population in Ontario and around the globe is contributing to the equally rapid decline of biodiversity in our natural world. We are losing the habitat of animals, birds and fish and they are certainly at risk. Alarm bells are going off all over the world. That is why it is important to conserve and restore biodiversity in Ontario.

Ontario's biodiversity strategy will help guide and coordinate the efforts of Ontarians who care about conserving our natural heritage and help ensure that the province's natural resources are used sustainably for our benefit. It's not just an Ontario government strategy. Developing the strategy was a group effort, and implementing it will also be a group effort. The strategy sets out six strategic directions and 37 actions that will help us work together to achieve the results that Ontarians want. Some of the priorities are: making Ontarians aware of the importance of biodiversity, implementing the greenbelt in the Golden Horseshoe, and encouraging private land stewardship. In fact, enacting updated legislation for provincial parks and protected areas is a recommended action in Ontario's biodiversity strategy.

Many people and organizations are already working to protect biodiversity in this province. The Ontario Bio-

diversity Council is leading and coordinating implementation of the strategy. The council is made up of representatives of the partner organizations that work together to develop the strategy. We will achieve our goals to conserve biodiversity if all citizens and all sectors in society engage in protecting what sustains us. Strengthening ecological integrity is part of Bill 11, and it is in keeping with the goals and objectives of Ontario's new biodiversity strategy. Ontario's biodiversity strategy is a fresh starting point to launch us on working together to protect our natural heritage for ourselves today and for the generations that will follow us tomorrow.

The natural spaces program: Similarly, Ontario's natural spaces program is intended to help conserve and protect Ontario's rich natural heritage. Our wetlands, woodlands, savannahs, tall grass prairies, Carolinian old-growth forests and the like are all important to this program. The program fulfills one of the key commitments in Ontario's biodiversity strategy. We have an obligation to those who will follow us to protect and preserve our natural heritage. The natural spaces program is designed to help preserve and protect natural spaces across southern Ontario by engaging property owners in taking care of the land and conserving our natural areas. With most of southern Ontario's land privately owned and much of the province's most important habitat in southern Ontario threatened, we can't conserve our natural heritage without the help of these landowners. The program includes a \$2-million grant to the Trees Ontario Foundation to support increased reforestation, as well as tax incentive programs for owners of managed forests and conservation lands. It also includes a \$6-million grant to the Ontario Heritage Trust for acquiring and securing significant natural heritage properties.

Through the program, we are increasing our partnerships with key environmental organizations. An alliance of organizations is working with MNR to help us develop the tools, incentives and on-the-ground activities that will help make this program a success. The natural spaces program will complement our new parks and protected areas legislation by helping us sustain a system of natural heritage across southern Ontario.

1550

When it comes to our blueprint for biodiversity, this is another important step by our government that was launched last year in the name of the Great Lakes Conservation Blueprint for Biodiversity. For the last four years, the Ministry of Natural Resources and the Nature Conservancy of Canada have collaborated on this project through a highly successful partnership. The two organizations have shared their knowledge and skills to complete this important project. The scientists who worked on the conservation blueprint have used the best science currently available to assemble and map other important data on ecosystems and special biodiversity features across the Great Lakes region of Ontario.

This is the first time such an analysis has been done in Ontario. As a result, we now have a better understanding of our rich, natural diversity of plants, animals and eco-



systems, on the land and in the water. The blueprint identifies a portfolio of high-quality natural areas that, if conserved, could sustain essential elements of our biodiversity, including species at risk. In other words, this is a tool, a valuable source of information that will help us work together to focus on our conservation efforts.

Governments and organizations can use it to plan where and how to further protect Ontario's rich variety of plants, animals and ecosystems while supporting the Great Lakes region's sustainable development plan. This is important because, as we know, biodiversity sustains life on our planet and has a direct impact on the health of all Ontarians.

The Ontario government, the Nature Conservancy of Canada, other organizations, other levels of government and many citizens in this province understand the risks of losing habitat that animals, birds, fish and all of us need to survive.

Many areas that harbour significant natural features and species, including our provincial parks and conservation reserves, have already been designated as protected areas. These lands are included in the blueprint to help us build on our conservation achievements on crown land and private land in Ontario. Through Bill 11, we will strengthen the conservation of our parks and protected areas into the future and significantly advance our efforts to conserve Ontario's biodiversity.

This government has also passed the Duffins Rouge Agricultural Preserve Act, 2005. The act reinforced the conditions of the 1999 agreement signed by the province and the region of Durham, as well as the city of Pickering. The legislation ensures that all existing conservation easements on the Duffins Rouge Agricultural Preserve are held in perpetuity. It also reinstates easements previously held and released by the city of Pickering. Proposed amendments to the Conservation Land Act confirm that conservation easements can be used to protect, conserve and preserve agricultural lands and clarify the role of the Minister of Natural Resources in enabling, amending or releasing easements enabled under the Conservation Land Act.

This government also introduced Bill 51, which would amend the Conservation Land Act to strengthen the status of conservation easements and permit conservation easements that include criteria such as water quality and quantity watershed protection and management issues.

Bill 16 and Bill 51 are two more of the steps this government has taken to conserve green space, agricultural lands, environmental lands and recreation and resource lands throughout the province of Ontario.

In conclusion, all of the initiatives I've discussed today will help us leave our children a legacy of green spaces and a healthy natural environment. The legislation is now before you in second reading. The Provincial Parks and Conservation Reserves Act is another vital step toward ensuring our communities are strong and healthy for generations to come.

**The Acting Speaker:** Questions and comments?

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** I have a few comments on Bill 11. I wanted to address the issue of what's referred to as park creep. We know that this government will begin the development of non-legislative policy as well to address activities on crown land adjacent to provincial parks and conservation areas which may well negatively impact the ecological integrity of that area. So it implies bringing in buffers. We wouldn't know how large these buffers would be. Again, given the lack of consultation we've seen on this legislation to date, the concern is what kind of consultation we would see if there is to be an expansion or a creeping in area of certain provincial parks. We're concerned about park creep, and we're concerned that the legislation is very vague on that particular issue.

The Ontario Mining Association is concerned about this, as is the forestry industry, because obviously this would impact the kind of work they would be doing out in the bush. The mining association makes mention of buffers. They indicate that a buffer of 100 metres or 10,000 metres would seriously jeopardize their activities adjacent to any provincial parks or conservation reserves.

As I mentioned, lack of consultation is a concern. I'll put this piece of legislation up against the process that was followed with the development of Lands for Life, which resulted in Ontario's Living Legacy. That process, that consultation right across Ontario—and primarily northern Ontario—involved 65,000 respondents. That's the challenge I put to this government: Try and match that one.

**Mr. Peter Tabuns (Toronto–Danforth):** Mr. Speaker, the main comments will be made by our critic, who will be here shortly.

I wanted to speak to one particular element in this bill, and that's the change in the definition of a "wilderness class park." As people are well aware, we have parks in this province that are wild, that have nature in a form that's attractive to people who live throughout the province and across the continent. There is a proposal in this bill to amend the definition of "wilderness park" so that the prohibition and the current definition against mechanized travel will be changed to where "visitors travel primarily by non-motorized means." I think this amendment on the part of the government is a mistake and should be amended so that the prohibition against motorized transport in wilderness class parks is maintained. There is no question that being in one of our wilderness parks and having to listen to ATVs, listen to Sea-Doos, listen to any form of motorized transport, when what people want to experience is wild nature, is a setback for the province, is a setback for wilderness, is a setback for our tourism industry.

I hope that the government will reconsider its approach in this matter, will look at the legislation, look at the quality of the experience that people currently enjoy in our wilderness areas and abandon this revision. Certainly, if a change has to be made for emergency access by motorized vehicles, I don't think there's any question in this Legislature. But if in fact you're going to



weaken the protection of wilderness class parks, then that weakening has to be abandoned by the government.

**Mr. Kevin Daniel Flynn (Oakville):** It certainly is a pleasure today to join the debate on Bill 11. Sometimes it makes you think that you take things for granted. Here in Ontario, I think we do take things for granted. Really, one of the things that I think we've been blessed with in this province is a provincial park system that is second to none. Sometimes you have to go outside the country to have that point driven home. I spent some time in England recently. I was born in England, so I know Britain quite well. When I was talking to the British people over there about what they thought of Canada, what came to mind was parks like Algonquin Park. What came to mind was a wilderness that we've developed a reputation for internationally.

Green space in Oakville, for example, is something that I think is a top-of-mind issue. I would probably hazard a guess that right behind health care, green space preservation, preservation of open spaces, preservation of the integrity of environmental areas is something that people in both urban and rural areas really want to see in Ontario.

1600

This is the first attempt in 50 years to do a review and strengthening of the act. I think that's something this government should be proud of. Fifty years ago, when people had the wisdom to implement the system, there were only eight provincial parks in the entire province. Today we're looking at 319 provincial parks, to be exact, 280 conservation reserves and 10 wilderness areas. With the passage of this act, should that happen, ecological integrity becomes the first priority in the management of these areas. It's something that I think really recognizes that these protected areas serve as benchmarks, educate people about nature and have great economic benefits: something to be proud of.

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** I listened intently to the minister and his parliamentary assistant, I believe, the member for Sault Ste. Marie, speaking on Bill 11.

I do commend the government. Sometimes we're here being critical of the government, but I do commend the government for taking on the task of looking at this act and realizing that it does require some updating, I'm sure.

I want to commend the previous government for creating more provincial parks in its tenure than at any time in the history of this province.

**Mr. Barrett:** That was Mike Harris.

**Mr. Yakabuski:** The Mike Harris government, yes.

I do want to say that I am pleased that this bill protects the practice of harvesting timber in Algonquin Park. That is something, I must say, that historically has had a positive economic effect on people in my riding. There are people out there who think that logging operations shouldn't be conducted in Algonquin Park. I really would encourage those people to get out to Algonquin Park and see the work that is being done; in fact, how it enhances the ecosystem of Algonquin Park by harvesting timber in

a very methodical and controlled way. The Algonquin Forestry Authority, with whom I have had the opportunity of touring operations in the park, does a tremendous job.

Logging in the park is something that my father fought for when he was a member here, to ensure that that practice would continue, because it is no threat. It is in fact a tremendous benefit to the park and a tremendous benefit to the people in my riding—thousands of them—who make their living from that very resource.

**Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford):** Where is that riding?

**Mr. Yakabuski:** Renfrew-Nipissing-Pembroke.

**The Acting Speaker:** That concludes the time available for comments and questions.

I'll return to the member from Sault Ste. Marie. You have two minutes to reply.

**Mr. Oraziatti:** On behalf of the minister, I thank all the members in the House who have spoken on Bill 11 and provided comments today: the member from Haldimand-Norfolk-Brant, the member from Toronto-Danforth, the member from Oakville and the member from Renfrew-Nipissing-Pembroke.

This is not a flashy bill and not a bill that is of incredible significance to the province of Ontario, but it is a necessary and important bill to our province because we are updating the Conservation Land Act for the first time in many decades. It is incredibly important for the basic protection of biodiversity within our parks in Ontario, and we're taking significant steps with our government's policies to improve the protection and conservation of land in Ontario.

I think back, within the last year or two, to the green-belt legislation that was passed. This was incredibly historic in the province, preserving thousands of acres of land in Ontario for generations to come. I don't think future generations are going to look back at our government and say, "That government protected too much land. That government kept too much land preserved for Ontarians." That's something we're proud of as a government. It's something we take great pride in, and something that future generations will definitely appreciate.

We're also allocating resources to organizations like the Trees Ontario Foundation to ensure that some of these organizations have the resources necessary to support our policies and our legislation. So I encourage members to support the Provincial Parks and Conservation Reserves Act when it's time to vote on it.

**The Acting Speaker:** Further debate?

**Mr. Norm Miller (Parry Sound-Muskoka):** It's my pleasure to join in the debate this afternoon on second reading of Bill 11, An Act to enact the Provincial Parks and Conservation Reserves Act, repeal the Provincial Parks Act and the Wilderness Areas Act, and make complementary amendments to other acts.

Before I get into my analysis of the bill, I would like to say that parks legislation does require balance. There are competing interests out there. I had the pleasure of meeting first thing this morning with Evan Ferrari of the



Wildlands League. He was here in the visitors' gallery following proceedings this afternoon, and certainly the Wildlands League has a number of proposals that they would like to see taken into consideration in this bill that, I would say it's safe to say, strengthen the bill from their perspective. In the time I have available, hopefully I'll get to bring up specifically some of their concerns and some of the ways they'd like to see the bill strengthened.

Shortly after that meeting this morning, I had a half-hour phone call with municipal representatives from the New Liskeard area who, I think it's safe to say, have a different perspective. They're concerned with how parks rules and regulations, the way they are being enacted, are affecting their ability to have control over their own area and to derive economic activity and benefit from the resources that are in their area. So it's very much a different perspective. In particular, one of the issues they were bringing up was access to parks for some of the long-time historical uses and the way it would be affected by some legislation that's being discussed.

I've also met with the Ontario Federation of Anglers and Hunters. They have many concerns, particularly to do with access to areas. They've been assured that the status quo in terms of access, in particular with conservation reserves, would be maintained, and that is a particular concern of theirs. I know they've been having a lot of correspondence with the minister's office and giving a lot of input. I will read into the record some of their specific concerns if I have enough time in my hour-long leadoff.

Then there are also other user groups like people who have cottages in existing parks, whether it be a park like Algonquin Provincial Park or Rondeau Provincial Park, where there are existing land use permits or leases for individuals who have cottages in a park. I'm sure if you were one of those individuals, you would be very concerned about maintaining that access into the future.

Representing the area of Parry Sound-Muskoka, I have to say that a concern for our area and a lot of the people who live in the area that's affected by this bill is the forestry operations that occur within Algonquin Provincial Park. I know that this bill protects, that those forestry operations will continue into the future. I would say that from the perspective of particularly the Huntsville area, where there's a lot of economic activity that derives from those operations, that's something they want to see continue. I know the member from Renfrew-Nipissing-Pembroke probably feels the same. There's a lot of benefit in terms of economic activity.

I would say that I did spend a day this winter with the Algonquin forest Authority out in the park, looking at their operations, and I can say they do an awful lot of planning and take a great deal of care in the operations that they carry out.

I've also heard from the Ontario Mining Association, and I think one of their concerns with this bill is the buffer zones around parks and protected areas and definitions to do with those buffer zones, how big they might be and whether park creep might occur, which would

limit the ability of the Ontario Mining Association to find new mines and carry out new work. I've also heard from First Nations with concerns specifically to do with this legislation and about how much they've been consulted, or rather the lack of consultation that has occurred so far with this specific legislation.

**1610**

First of all, I'd like to go over some of the key facts in the proposed legislation: "The bill enacts the Provincial Parks and Conservation Reserves Act, 2005, repeals the Algonquin Provincial Park Extension Act, 1960-61, the Provincial Parks Act and the Wilderness Areas Act and makes consequential amendments to other statutes...."

"The Lieutenant Governor in Council may classify provincial parks in one of the following classes: wilderness class parks, nature reserve class parks, cultural heritage class parks, natural environment class parks, waterway class parks and recreational class parks...."

"The Lieutenant Governor in Council may by order set apart as a provincial park or a conservation reserve any area in Ontario, may decrease or increase the area of any provincial park or conservation reserve and may prescribe the boundaries of any provincial park or conservation reserve...."

"If the Lieutenant Governor in Council proposes to dispose of an area of a provincial park or conservation reserve that is 100 hectares or more or 2% or more of the total area of the provincial park or conservation reserve, the minister shall first report on" that "disposition to the assembly"—to this assembly—"table the proposed new boundaries with the assembly and the disposition shall not be proceeded with unless the assembly endorses the new boundaries...." So you can't dispose of an existing park without it coming before this assembly.

"The ministry is required to prepare a management direction that applies to each provincial park and conservation reserve.... Each management direction shall be approved by the minister and may include a management plan or a management statement.... The minister is required to report publicly"—at least once every five years—"on the state of the provincial park and conservation reserve system." The report shall be posted in the registry established under the Environmental Bill of Rights.

On that point, I would wonder if this is perhaps just process and jobs for bureaucrats in the Ministry of Natural Resources. I wonder how many trees will end up being cut down to produce these reports every five years.

"The minister is responsible for the control and management of provincial parks and conservation reserves and shall designate a superintendent to have charge of each provincial park and a district manager or conservation reserve manager to have charge of each conservation reserve...."

"The minister may lease land in a provincial park or conservation reserve or issue a land use permit or licence of occupation in respect of land in a provincial park or conservation reserve for private non-commercial purposes if the granting of the lease or the issuing of the land



use permit or licence of occupation ... is consistent with this act and the regulations; and ... extends the term of occupation of an existing lease holder or holder of a land use permit or licence of occupation....

"Hunting is not permitted in provincial parks unless it is allowed by regulation made under the Fish and Wildlife Conservation Act, 1997.... Hunting is permitted in conservation reserves unless it is prohibited by regulation made under the Fish and Wildlife Conservation Act, 1997." So that's an important differentiation between a park and a conservation reserve.

"The following activities shall not be carried out on lands that are part of a provincial park or conservation reserve: ... Commercial timber harvest ... Generation of electricity ... Prospecting, staking mining claims, developing mineral interests or working mines ... Extracting aggregate, topsoil or peat ... Other industrial uses."

An exception, as I've already pointed out, has been made in regard to commercial timber harvesting in Algonquin Provincial Park, as per the Algonquin Forestry Authority Act, the Algonquin Provincial Park management plan and the Crown Forest Sustainability Act, 1994.

An exception has been made in regard to oil and gas wells and aggregate pits: "Oil and gas wells located in a provincial park or conservation reserve on the day this section is proclaimed in force may continue to operate;

"(b) oil and gas wells that are located in an area before the area becomes a provincial park or conservation reserve or a part of one may continue to operate; and

"(c) aggregate pits located in provincial parks and conservation reserves that are authorized under the Aggregate Resources Act to operate on the day this section is proclaimed in force may continue in accordance with existing licences, permits or other authorizations."

An exception has been made toward aggregate pits in Algonquin Park.

That is a short description of what the bill does, and I would like now to briefly outline the history of provincial parks and conservation reserves in the province and talk a bit about the importance of parks.

Provincial parks support significant natural, cultural and recreational environments while providing opportunities to enjoy nature. They protect provincially significant elements of natural and cultural landscape and provide outdoor recreation opportunities, while fostering an appreciation of the natural environment. They provide both Ontarians and visitors to our province with an opportunity to witness the diversity and distinctiveness of our landscape.

The history of provincial parks in Ontario stretches over 100 years. Our party, the PC Party, played an instrumental part in that history. In 1913, the Provincial Parks Act set aside land that was not suitable for agricultural settlement. In 1954, Ontario had eight provincial parks: Algonquin, Quetico, Long Point, Rondeau, Presqu'île, Ipperwash, Lake Superior and Sibley, now known as Sleeping Giant. In that same year, the parks division was created within the Department of Lands and Forests. Our

PC Party began a new and aggressive program to create more parks primarily on the Great Lakes and northern tourism highways. By 1960, there were some 72 provincial parks in Ontario hosting over five million visitors annually. It's important to note the economic benefits of provincial parks.

In 1967, the Conservative government introduced a new policy that divided parks into specific categories with compatible uses.

In 1970, we created Polar Bear Provincial Park, the largest provincial park: some 24,000 square kilometres.

In 1978, cabinet improved Ontario provincial parks planning and management policies, giving Ontario one of the world's leading parks planning systems. That is about the time that my father was the Minister of Natural Resources, so I suspect he had something to do with that.

In 1983, the new land use planning system led to the announcement of 155 new parks to be designated. By 1985, the number of parks had grown to 220, encompassing over 5.5 million hectares of land.

In 1996, a new entrepreneurial model allowed revenue generated by parks to be reinvested into the parks system and Ontario Parks was born with a new visual identity. Ontario Parks partnered with the Nature Conservancy of Canada to create Ontario Parks Legacy 2000, a program to protect an additional 11,000 hectares of natural areas.

In 1999, Mike Harris announced Ontario's Living Legacy. The land use strategy identified some 378 new protected areas, including 61 new parks and 45 park additions. That was an area the size of Lake Ontario. It's the largest expansion of provincial parks in the province's history, under Mike Harris.

I'll just divert for a second. I note in today's *Globe and Mail* that a former Progressive Conservative Prime Minister of Canada, Mr. Mulroney, just received an award for being the greenest prime minister in Canada's history. I'll quote from the article in today's *Globe*, "Mulroney: Blue Tory, Green Leader," by Jane Taber, senior political writer in Ottawa.

"On Thursday, Brian Mulroney comes to Ottawa to be feted as the 'greenest prime minister' in Canadian history." I'm just quoting a couple of little bits from the article. "Mr. Mulroney will deliver a speech in which he will not only look back on his government's green legacy"—

*Interjection.*

**Mr. Miller:** You don't have to agree with this, government House leader.

"Mr. Mulroney will deliver a speech in which he will not only look back on the government's green legacy, but look ahead."

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**Mulroney Called Deserving Honouree**

"He will speak about the serious problem of the shrinking polar ice cap, and the growth in China and India and the role Canada can play in ensuring those countries maintain good environmental practices....

"The event is being organized by the principals of a small independent environmental magazine, Corporate



Knights, which began four years ago with \$1,500 and a big idea that big business can be part of the environmental solution."

Further down, it goes on, "'I guess [Tory] blue can be green,' Mr. Heaps said.

"Two years ago, Mr. Heaps, who had been in the United States working on Ralph Nader's presidential campaign ... returned to Canada and came up with the idea of polling environmentalists as to who was the greenest prime minister in Canadian history.

"He asked 12 prominent green Canadians—people such as the Sierra Club's Elizabeth May, Environmental Defence's Rick Smith and even former Liberal environment minister Sheila Copps—to act as jurors who would cast ballots, explain their choices and make recommendations about environmental policy to the current government.

"Mr. Mulroney won, receiving five votes against three for former Liberal Prime Minister Pierre Trudeau."

I'll go on: "Meanwhile, this is to be a big event for Canada's environmental crowd, who say Mr. Mulroney is a very deserving honouree.

"'Mulroney being the greenest PM in Canadian history is actually a widely held view in the environmental community,' said Mr. Smith, noting that among many positive steps Mr. Mulroney took for the environment was to go to bat 'big time' for the acid rain agreement with the United States."

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** We had to drag them into it.

**The Acting Speaker:** I would ask the House to come to order.

I return to the honourable member for Parry Sound–Muskoka.

**Mr. Miller:** Thank you, Mr. Speaker. I don't know why the government House leader is getting so worked up about this. I would like to go on; I'm just about finished this article. He'll be able to calm down after this.

"She said that former Liberal Prime Minister Jean Chrétien made many environmental promises, but did not fulfill them. Mr. Mulroney, on the other hand, launched initiatives on acid rain, climate change and the ozone layer. Like Mr. Smith, she said that Mr. Mulroney made acid rain a bilateral priority with the United States."

**Hon. Mr. Bradley:** Who said that?

**Mr. Miller:** Through you to the government House leader, Mr. Speaker, it was Mrs. May who said that.

I have to give a little bit of Parry Sound–Muskoka history that relates to this. Of course, the federal member at the time the acid rain agreement was reached was Mr. Stan Darling. I think he started as the member when he was roughly 65 years old and served with all kinds of energy for many years. I think the thing he was most proud of in his federal career—Stan just passed away fairly recently—was the success he had with the acid rain agreement.

**Hon. Mr. Bradley:** Stan Darling was a good man.

**Mr. Miller:** I'm glad the government House leader and I agree on something. Stan Darling was a great guy; I

completely agree. He certainly is missed around Parry Sound–Muskoka.

Getting back to the short history I was giving, I would like to note that if there was a provincial award, Mike Harris, having brought in the largest expansion of provincial parks in Ontario's history, would probably win that award. As Conservatives, we don't often get recognized for green initiatives, so I just want to highlight that and talk a bit about some of Mike Harris's initiatives.

He brought in Ontario's Living Legacy, which was the single most significant addition to the Ontario parks system. It's "the biggest increase in parks and protected areas in Ontario's history.... The Harris government created a greater number of parks and protected areas than all previous Ontario governments. It protected 12% of the land mass, as recommended by the Brundtland commission, the standard set by the United Nations." To give some perspective of the size of the increase, it's an area that would cover all of southern Ontario south of Algonquin Park or nearly three quarters the size of England. That's how big an expansion of parks and protected areas was brought in by Mike Harris. He also put \$100 million to expand Ontario's Living Legacy into a province-wide initiative to enhance protection, conservation and recovery efforts for species at risk in Ontario. He funded more youth programs and resource stewardship jobs for young people. He took measures to protect and enhance fish and wildlife and their habitats, acquired more natural areas in southern Ontario, regulated new parks and protected areas in Ontario and created signature sites that would become an important tool for increasing tourism from around the world.

Also, the Ontario Forest Accord was negotiated: an historic partnership to ensure both new protected areas and measures to strengthen the economy of northern and central Ontario. The Ontario Forest Accord laid out conditions under which new parks and conservation reserves would be set aside. It also established a process for creating additional protected areas which have been mutually agreed to by the forest industry and the environmental community. So Mr. Harris was working with both the forestry industry and the environmental community to try to better protect Ontario's natural assets.

The Ontario Forest Accord Advisory Board provided advice to the Minister of Natural Resources, supported implementation of the accord, monitored the creation of parks and reserves, and helped resolve disputes. We also committed to helping local communities increase access to hunting and fishing, and it included measures to maintain wood flows and costs of wood for mills and measures to increase wood supply in the future.

Many new parks were created with this process. If I have time toward the end of my hour, I will point out some of them in the Parry Sound–Muskoka area, because so many were in Parry Sound–Muskoka. As well, 19 conservation reserves, including many in the riding of Parry Sound–Muskoka, were created through this process, and I'll point out a couple of them.

The Bear Creek Conservation Reserve, which is a 212-hectare site in the town of Kearney: Part of it lies



within a winter deer yard and includes a yellow birch forest growing on sands and gravel deposited by glaciers around the creek.

The Bear Lake Peatland Conservation Reserve is a 3,845-hectare site featuring extensive peatland and bog and excellent moose habitat near the hamlet of Bear Lake, also within the Parry Sound district.

The Big Deer Lake Conservation Reserve is a 176-hectare site, 15 kilometres from Magnetawan, also in Parry Sound–Muskoka.

The Big East River Provincial Park is a 1,050-hectare waterway park that follows the Big East River to the Arrowhead Provincial Park, just north of Huntsville, in the riding of Parry Sound–Muskoka.

There were many outside of Parry Sound–Muskoka too.

The Crowe River Swamp Conservation Reserve is a 189-hectare site in Chandos township, near Peterborough. It's the largest and least disturbed collection of deciduous swamp habitats, bounded by landforms left by glaciers and kame moraines.

The Ferguson Township White Pine Forest Conservation Reserve is 364 hectares, 18 kilometres north of Parry Sound. It provides inland habitat for the nationally threatened Eastern Massasauga rattlesnake.

The Ferrie Township Forest Conservation Reserve is a 474-hectare site, 15 kilometres northwest of Magnetawan. It includes white pine, tamarack and treed muskeg on dunes and beach deposits, again in Parry Sound–Muskoka. Many of these significant sites are in Parry Sound–Muskoka.

The Island Lake Forest and Barrens Conservation Reserve is a 15,452-hectare site that includes several rare plant species in this habitat for the Eastern Massasauga rattlesnake. It's situated 45 kilometres north of Parry Sound. I have had the pleasure of camping out in the Island Lake area.

The Jackson Lake Conservation Reserve is a 1,166-hectare site, with mixed and sparse forest northwest of Geraldton.

The Jevins and Silver Lake Conservation Reserve is 2,144 hectares north of Kahshe Lake, again in the district of Muskoka in Parry Sound–Muskoka. It features red oak and white pine forest.

The Kama Cliffs Conservation Reserve is 3,713 hectares, with impressive cliffs on the North Shore of Lake Superior, 18 kilometres east of Nipigon.

The Little Spring Lake Conservation Reserve is a 106-hectare site northwest of Magnetawan, again in Parry Sound–Muskoka.

Neys Provincial Park: That's 1,939 hectares and features caribou habitat and spawning areas for sport and commercial fish species, breeding colonies of herring gulls, includes islands and islets in Lake Superior, a whaleback barge shipwreck, Pukaskwa Pits and man-made rock depressions. It's situated 200 kilometres from Thunder Bay.

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The Living Legacy built on the work from the Lands for Life consultation process. To point out the difference

in the consultation process that went through that, the largest expansion of provincial parks, and this current bill, Bill 11, there is a huge difference. The Harris government accepted 213 of 242 recommendations made during the process. This is the sort of input that was received, though: More than 65,000 Ontarians responded to the Lands for Life process, which spanned many months. Contrast this to the process that was just gone through for this review of provincial parks under Bill 11, undertaken by the current government. Their process lasted two months, with a total of 425 participants at open houses, 141 written submissions and a total of 1,118 form letters. So quite a difference: 65,000 versus literally a few thousand, and a much shorter time frame.

At this point, I would like to review some of the comments that I have received, giving input on how some groups feel about Bill 11 and the need for input at the committee stage. We're in second reading, which has started today. The process that will happen will be several days' debate on second reading. Then I expect that the bill will be referred to a committee, at which point there will be opportunity for individuals and groups to give input into the bill, at which point there will likely be some amendments, and then it will be reported back to the Legislature.

First of all, from a First Nations group that has concerns with this bill: The Matawa First Nations Chiefs' Council wrote to the minister to do with Bill 11:

"Dear Mr. Ramsay:

"We are writing with regards to Bill 11, provincial parks and conservation areas act.

"In November 9, 2004, Matawa First Nations wrote to Bob Moos, Ministry of Natural Resources staff lead regarding the proposed parks and protected area legislation, with their concerns. The Matawa Chiefs, along with the other Chiefs of Nishnawbe-Aski Nation: also rejected this proposed legislation when a ministry official—Ms. Adair Ireland—gave a presentation at their assembly. Finally, on December 16, 2004, the Matawa Chiefs wrote again to Bob Moos, as per the Environmental Bill of Rights registry, wanting to know how the ministry was going to initiate consultation with First Nations." I'll go on to say that they're not happy with the consultations.

"Now that Bill 11 has been introduced to the Legislature in its first reading, it is imperative that it be referred to committee for hearings that will consult with First Nations. Amendments to this Bill 11 are needed to reflect the concerns of First Nations, whose traditional territory is often covered by these parks and conservation areas.

"Public information session and ministry resource materials mentions consultation with the First Nations and aboriginal people. This has not happened. First Nations are not satisfied with existing parks legislation and any new laws should provide an opportunity to correct past wrongs. Therefore, the bill should not go forward until consultation is complete.

"Please see attached points of concern regarding the consultation process and problems with the legislation.



“Background and consultative process:

“The Matawa First Nation and other signatories to Treaty 9 never gave up their water rights in 1905 and/or access to lands for personal livelihood in or near parks.

“The Ministry of Natural Resources has over the years created many parks in protected areas in the traditional territory of First Nations, often without their consent or without compensation. This is very true of the water parks in the Albany, Attawapiskat, Winisk, Attwood, Ogoki, Nakina and Aguasabon Rivers, which abut or are near our First Nations.

“These parks and protected areas have limited the economic potential of the surrounding First Nations. Webequie First Nation is in the middle of Winisk Provincial Park and it took over 20 years to secure reserve status in their traditional territory.

“The proposed vision for the legislation will have a direct impact on First Nations in their ability to realize the economic potential for the water power and energy resources in their traditional territory.

“Ontario has not provided resources for the meaningful consultation and review, and adequate time, for the proposed legislation as required by constitutionally protected aboriginal and treaty rights. While the vision talks about aboriginal consultation, no community sessions were held in any of the Matawa First Nations.

They go on to say, “Components of the Legislation:

“(1) Principles: Respect for aboriginal and treaty rights are not mentioned as one of the overriding principles. There is not even a non-derogation clause.

“(2) Goals and objectives: Again, applications for aboriginal people are not mentioned—i.e., usage, trapping, potential land claims etc.

“(3) Zoning: No mention is made of aboriginal parks. Although Ontario Parks currently has some parks under First Nation’s management and they are developing a joint park in the Pikangikum area.

“(4) Assess wilderness areas: Recognition of traditional environmental knowledge into the legislation is needed.

“(5) Management direction and state of the protected areas reporting: The State of the Forest a reporting guide for crown lands under the Crown Forest Sustainability Act. This reporting does not adequately provide information concerning First Nations and their relationship to the forest. Jointly developed criteria and indicators are needed before they are implemented to show the issues and concerns of First Nations.

“(6) Major industrial uses. It excludes hydro and wind development unless it is for an off-grid community ‘where no economically viable alternative exists.’ This is an impediment to First Nations because an economically viable alternative may conflict with other aboriginal values. First Nations need much more latitude and ability to initiate economic development in their traditional territories. Interestingly, logging in Algonquin Park and existing hydro developments are allowed. A First Nation’s exemption is needed. Access to First Nations on

all weather or seasons roads is another exemption that is needed.

“(7) Continue to address non-industrial uses in policy: This could include hunting, tourism etc. by regulations instead of legislation. Recognition of First Nation non-industrial uses is needed.

“(8) Administration and enforcement: There is no recognition of recruitment or retention of aboriginal staff in Ontario Parks, input from First Nations, impacts to First Nations. Increased power to the minister to make regulation with cabinet approval is supported....”

This letter is signed by a number of chiefs, including Chief Arthur Moore of Constance Lake, Chief Charlie O’keese from the Eabametoong First Nation, Chief David Charles from Ginoogaming First Nation and Chief Roger Oskineegish from the Nibinamik First Nation.

I wanted to get their concerns on the record, because there are different and conflicting interests out there, and the First Nations’ concern about economic activity from hydroelectric generation is not that different from many of the northern communities. They often feel that we’re making parks to benefit southern Ontario without consideration of the communities in the north.

I would like to get some of the concerns from the Ontario Federation of Anglers and Hunters on the record as well. They have quite a few concerns. I know they are in ongoing negotiations and correspondence with the minister, but they do have some concerns to do with access. They’ve been told that the status quo is what will be carried forward. They have concerns with access, particularly on conservation reserves. They have concerns with the zoning of conservation reserves which could in fact, from their perspective, make conservation reserves effectively into parks. I’ll read from some of their concerns. This is a letter to the Ministry of Natural Resources:

“Minister Ramsay promised us there would be no changes to the status quo regarding conservation reserves and provincial parks. This includes no expansion of the current network of parks and protected areas, and no change to crown land use commitments made under Ontario’s Living Legacy crown land use planning program.

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“Unfortunately, Bill 11 will significantly and negatively change that status quo in several ways. For example, conservation reserves will be transformed into provincial parks. The legislated objectives and planning and management principles in the act; restrictive zoning in conservation reserves; restrictive use of roads, trails, portages; new work permits and service fees requirements; and legislated requirements for the maintenance of ecological integrity prove this. Additionally, proof that the status quo is to be changed includes the creation of a new class of provincial park (aquatic) whose legislated objectives exclude recreation.

“There will be significant negative economic, social and ecological consequences from these changes proposed in the new act.



"The OFAH needs a better mechanism to obtain satisfactory answers to our questions on the new legislation. Perhaps that will be at committee after Bill 11 receives second reading." So obviously there are some different groups that are looking for committee time, whether it be the First Nations or other concerned groups.

"The express purpose of conservation reserves includes 'preserving traditional public land uses including wildlife viewing, hunting, fishing, walking, snowshoeing, cross-country skiing, and boating' (see O. Reg. 805/94 under section 4 of the Public Lands Act). This purpose is, and has been, to maintain this status quo in conservation reserves since they were created more than a decade ago; and, to the best of our knowledge, no conservation reserves in Ontario contain land use zones. Such zones in existing provincial parks often overly restrict the activities of hunting and fishing, because they commonly prohibit motorized vehicles (i.e. the most common methods used by anglers and hunters to access their favourite fishing and hunting spots ... )."

"However, to our knowledge, there is one location in the province where the MNR is attempting to impose land use zoning, and that is the La Cloche Ridge Conservation Reserve in the Sudbury district, despite the OFAH and local protests." And I know they've done a lot of work on that La Cloche Ridge Conservation Reserve and their concern that conservation reserve is basically being turned into a park by land use zones.

They have quite a lengthy submission. I don't think I'll go through the whole thing. If I have time, I may come back to it. Obviously, they have quite a few concerns and I'm sure that they have been talking with the Ministry of Natural Resources. I've been assured by the minister that the status quo will be the case, but I am sure they would probably also like to have an opportunity to make their views known at committee.

As mentioned, I also met this morning with the Wildlands League. They have a number of concerns to do with Bill 11, mainly to do with strengthening environmental protection, which is natural. I'll read from a letter sent to me regarding Bill 11:

"Dear Mr. Miller,

"Re: Bill 11, Provincial Parks and Conservation Reserves Act

"Progressive Conservative governments were responsible for the largest expansion of Ontario's protected areas system in history. Under Ontario's Living Legacy, 2.4 million hectares of new provincial parks and conservation reserves were created. What's more, 378 new protected areas were created while maintaining wood supply to the forest industry. This was a groundbreaking agreement—the Ontario Forest Accord—between government, industry and conservation groups. This is truly a legacy for us to be proud of for generations to come.

"Completing this work is still going on today. As you can imagine, creating 378 new protected areas is a significant task. One of the other outcomes of this process was the promise of new protected areas legislation that put nature first in our parks and conservation

reserves. With industry access on 90% of the land and less than 10% of the landscape for parks, Ontarians understand the value of protecting important places while providing other uses on the rest of the landscape.

"Bill 11, Provincial Parks and Conservation Reserves" Act, "represents one of the last pieces of this legacy. We believe that first reading of Bill 11 represents a definite move in the right direction. However, there are clearly elements within Bill 11, Provincial Parks and Conservation Reserves Act, that undermine the central purpose of ensuring ecological integrity (putting nature first) in these special places and completing the Conservative promise.

"A. Ecological integrity (putting nature first)

"In spite of including ecological integrity ... in the new legislation, Bill 11 fails to integrate the concept throughout the act. Addressing the impacts of park neighbours (greater park ecosystem) and fully integrating EI throughout would strengthen the new bill considerably. It would also augment the Ontario biodiversity strategy ... which recognizes the concept of maintaining biodiversity on the greater landscape.

"Greater park ecosystem (good neighbour clause)

"The greatest threat to parks comes from activities outside their boundaries. Bill 11 is completely silent on how to ensure we have good neighbours surrounding our parks. Surely society would hold us responsible if battery acid were to find its way from our backyard to that of our neighbour's property. It seems that the province thinks protected areas don't need good neighbours, exempting them of any harmful wrongdoing.

"Bill 11 must include strong language regarding ecosystem management of the greater park ecosystem ... ensuring that we have good neighbours for our protected areas.

"Fully integrating EI protection

"To protect the ecosystem of a park, the concept of ecological integrity ... must be integrated throughout Bill 11 not just in the introduction. Wording needs to be changed to establish the maintenance and restoration of EI as the overriding priority. In some protected areas, EI cannot be achieved unless restoration is undertaken.

"Damage to a protected area is often incremental and difficult to predict. Given such uncertainty, a precautionary approach to planning and management is needed. The precautionary principle is an emerging international norm in environmental legislation:

"'Precautionary approach' means that where there are threats to ecological integrity, lack of scientific certainty will not be used as a reason for postponing measures to prevent damage to ecological integrity, and is the application in practice of the precautionary principle.'

"Ecological integrity must ultimately be the test for approvals of any roads and utility corridors.

"B. Prohibitions: logging, mining, hydroelectric development

"Logging, mining and hydroelectric development have no place in protected areas because over 90% of crown land [is] available for industrial uses. We need some



places free of the industrial footprint so that caribou, sturgeon, eagles and hawks continue to thrive.

"In Bill 11, industrial development is generally prohibited in parks and conservation reserves. However, we have serious concerns about the many exceptions to the prohibitions.

"Bill 11 specifically allows logging in Ontario's flagship Algonquin Provincial Park to continue. It does not even include a provision to review or phase out industrial logging in the park. We have already examined this situation and know it is possible to keep the sanctity of Algonquin as a park while also not harming the surrounding economy currently taking wood from the park. Under the Conservative government it was possible to build a solution with the forestry industry that saw the incredible increase in the park system.

"It is therefore unacceptable that logging and resource road building will be allowed to continue in our most beloved park without any attempt at addressing this issue in a revenue neutral and zero economic impact way. Already, over 70% of the park is open to logging, with more than 8,000 km of industrial roads fragmenting thousands of hectares of the park. Algonquin Park must become a park without logging and logging must be done outside the park.

"The public is clearly supportive of a long-term phase-out as a 2002 Oracle poll showed that 77% of Ontarians feel that parks must be off limits to logging.

#### "C. First Nations

"Bill 11 is silent on the aboriginal and treaty rights of aboriginal peoples and on their potential roles in the creation, planning and management of parks and conservation reserves. It provides no creative opportunities for the possible development of an aboriginal class of parks or for the co-management of protected areas with aboriginal communities. These shortcomings are unacceptable and completely out of step with new protected areas legislation across Canada that reflects an increasing understanding and appreciation of aboriginal rights and interests with regard to protected areas. This may add to the already unstable business planning environment already evident in the far north.

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#### "D. Municipal jurisdiction

"Crown land considered for protected area status is given 'interim protection' to prevent any inappropriate development from taking place while it's under consideration. In some instances, municipalities have jurisdiction over certain types of crown land, land that may be under interim protection. When development proposals for these areas are proposed to municipalities, there is no consistency across Ontario on how the public process should occur.

"Bill 11 should clearly state that these municipalities shall engage in a public process, consistent with the Environmental Bill of Rights....

#### "E. Wilderness class parks

"Bill 11 weakens the protection afforded wilderness class parks by altering the wording that has been used to

describe this park class since the 1970s. The long-standing description of wilderness class parks states that 'Wilderness parks are substantial areas where the forces of nature are permitted to function freely and where visitors travel by non-mechanized means....' Bill 11 replaces this with: 'The objective of wilderness class parks is to protect large areas where the forces of nature can exist freely and visitors travel primarily by non-motorized means....' This redefinition substantially alters the understanding of what wilderness parks are, with the potential to negatively affect the ecosystems that they protect and the recreational experiences that they offer, in serious ways. Bill 11 must revert to the long-standing definition and clearly state: '...where visitors travel by non-mechanized means....'

"I have included a detailed analysis of Bill 11 that we completed with our colleagues at Sierra Legal Defence Fund, to make your review of the act easier."

That's from Janet Sumner, executive director.

Obviously there are various and differing opinions, in particular in terms of whether there should or should not be forestry operations in Algonquin Park.

I have received different correspondence from people, and some of the issues have already been hit on. I would like to bring up a couple, though.

The Peaceful Parks Coalition wrote:

"We wish to bring your attention to the new Provincial Parks and Conservation Reserves Act, first introduced by the McGuinty government in November 2005.

"It replaces the old Provincial Parks Act, and is scheduled for second and third reading....

"However, we have serious reservations about the new legislation and feel strongly it should not pass as it is currently written.

"We have enclosed a fact sheet outlining the most serious flaws with the legislation and ask that you give this issue your immediate attention."

They have some concerns particularly to do with wilderness parks, and that they may be opened up to motorized traffic. I know I've had other people write e-mails to me on that same issue.

As well, I heard from the Ontario Fur Managers Federation. Their concern is about the La Cloche Ridge Conservation Reserve.

Mr. Speaker, I see that my time is winding down. I hope I have time to get through all the concerns that have been raised with me. I will briefly outline the concerns of the Ontario fur managers, because we do have conflicting interests: "The ... La Cloche Ridge Conservation Reserve management plan is a source of concern and disappointment for our federation.

"We trusted in your commitment that your government would honour the commitments of the previous government, as contained in Ontario's Living Legacy land use strategy. The strategy was clear in its direction that trapping would be maintained within conservation reserves.

"Trapping is physically intense and requires the transportation of trapping equipment and harvested fur-



bearers to/from and within the trapline area. It also requires the ability to access, construct and repair trapline cabins. This can only be accommodated through unimpeded access, most often by mechanized means."

So we have two very different feelings about mechanized access. Although there are different defined areas, I think this is particularly on a conservation reserve.

"These facts were well known to the authors of the land use strategy, and should be well known to the authors of the La Cloche Ridge Conservation Reserve management plan. This management plan, in section 4.3 Commercial Fur Harvesting ... provides direction that impedes access and accommodation, and interferes with the normal process for trapline allocation."

Although not specifically to do with Bill 11, it is a concern that has been raised by the Ontario Federation of Anglers and Hunters that the zoning provision in Bill 11 will be used on conservation reserves to more or less switch them into provincial parks.

I also wanted to come back to the First Nations and the fact that this government has been reneging on a pledge made to First Nations to consult. I meant to note this when I was noting the information we received from Matawa First Nations. This government is reneging on a pledge to natives to do with consultations. That's the headline of an article in the Toronto Star on April 1:

#### "Reneging on Pledge to Natives

"In the run-up to the last provincial election, Premier Dalton McGuinty made a promise in writing"—we've seen that before—"that was important not only to Ontarians, but to the entire country—and now he's letting natural resources minister David Ramsay break it.

"McGuinty said in a letter to a coalition of environmental groups, 'We will institute meaningful, broad-based land use planning for Ontario's northern boreal forest before any new major development, including ensuring full participation by native communities. Land use planning must protect the ecological integrity of this national treasure and help to provide a sustainable future for native people in northern communities.'"

Then the article goes on to say that Mr. Ramsay has broken that promise:

"What Ramsay is saying directly contradicts the Premier's promise. He's saying development can continue in the absence of official plans and in the absence of an assured sustainable future for First Nations.

"Ramsay is also blatantly thumbing his nose at the Supreme Court of Canada, which ruled in November that the crown has a duty to consult with, and accommodate, First Nations concerns before allowing development that might affect their treaty rights with regard to lands where they continue their tradition of hunting, fishing and trapping....

"By saying development can continue while talks are held, Ramsay is not acting honourably, and it is no answer to say that the Mining Act binds his hands....

"First Nations in Ontario's north have a justified and long-held grievance over the lack of a sustainable future while mining and lumbering proceeds on their lands. And

all Canadians have a right to expect enlightened land use planning in the northern boreal."

This article is highlighting how the government has not consulted and is going ahead with a mine in the Big Trout Lake area, 580 kilometres north of Thunder Bay, even though there was a written pledge by the Premier not to do so.

In the short time I have left, I would like to highlight a few other things. We see that the development of parks legislation really is a balancing act because, as I've illustrated in some of the different information I've read into the record, there are very much conflicting views and different priorities, whether you're a northern community that wants to see the economic development from a resource or you're someone who has the interest of just protecting the environment at any cost. So it is a balancing act to protect parks, create recreational opportunities and protect the environment.

I would like at this time, in the few minutes I have left, to highlight some of the parks in the Parry Sound-Muskoka area. I note that we've had the expansion of the park-to-park trail system throughout Parry Sound-Muskoka. I would certainly encourage anyone who would visit Parry Sound-Muskoka to take advantage of the beautiful parks, to take advantage of that trail system, as it gets completed, on which there's been a lot of work. You can get some good exercise and enjoy the natural beauty of Parry Sound-Muskoka.

When you look at the map of Parry Sound-Muskoka, you'll note that there are around the region probably 50 or 60 new parks and protected areas that have been created and many are in the process of being created. We have the Great Lakes Heritage Coast, the beautiful coastline of Georgian Bay, which is certainly one of the natural wonders of the world—a spectacular coastline, although I would ask the Minister of Natural Resource what is happening on the Great Lakes Heritage Coast because recently there hasn't been a lot of information to do with that initiative that was created by the former government.

We have access to Algonquin Park from Parry Sound-Muskoka. I note on a local issue that I've heard recently from the town of Kearney—of course we have the four-laning going through on the eastern and western sides of Parry Sound-Muskoka, and Highway 11 is going through. I've recently had a resolution from the town of Kearney, which is concerned that the signage to the town of Kearney is not adequate. They're concerned about loss of economic activity. They are also a gateway to Algonquin provincial park. They sell park permits in the town office in Kearney. It's a great way to access the wild west of Algonquin Provincial Park.

#### 1700

I know that I personally, in the last few years, have just developed an interest in canoeing and accessing some of our provincial parks. I had the pleasure three years ago of paddling down the French River with my son Winston, his friend Riley and his dad, Dan Mulligan. This past year, I had the pleasure of accessing the



Temagami area and paddling into Diamond Lake and Lady Evelyn Lake, climbing Maple Mountain, paddling through to Obabika Lake and going through the old-growth pine forests there. This year, I'm looking forward again—it's becoming an annual ritual—to taking the train from Sudbury up to Biscotasing and paddling down the Spanish River with the same crew. I'm very much looking forward to seeing the beauty in that area. There's a fair amount of whitewater in the Spanish River, so I'm going to have to learn how to paddle in whitewater before I head out on that trip.

Briefly, before I finish, I would like to note that this government has—I guess it's coming up on two years now—closed the Leslie Frost centre. I know the member from Haliburton–Victoria–Brock is very concerned with the Leslie Frost centre, which had a number of educational programs and outdoor education occurring at it. It was closed without any notice at all in late June, early July 2004. I think I had all of about a day's notice when that happened. I had the pleasure when I was in public school, in grade 6 and grade 8, of attending the Leslie Frost centre, and getting out and developing an interest in and an appreciation for the outdoors and taking part in orienteering and other various activities in the wintertime. I think it's a real shame that the Leslie Frost centre has now sat idle for some two years. I'm hopeful that in the not-too-distant future, it will once again resume activity and become the place it was for developing interest and providing programs to do with the environment. But it is a shame that it has been closed for the last two years. I think rather than closing it the way they did, they should have kept it operating. It would have been much easier to keep it operating, and then look for support in the private sector and with other various groups to make use of this wonderful facility.

In wrapping up, I would like to also make note of the fact that I've heard from the Ontario Federation of Anglers and Hunters that this government has not provided adequate funding for fish and wildlife programs. In fact, I attended their convention, and they pointed out that they are some \$25 million short in terms of the funding necessary for fish and wildlife specifically in the province. In fact, they too, along with many other groups, have a written letter from Premier McGuinty when he was in opposition saying that he would adequately fund fish and wildlife programs in the province, and yet he has not done that. So that is a concern.

There are a couple of other concerns that have arisen in the natural resources field lately, in the last minute and a half: We're seeing some major cutbacks in fish stocking. I had a question last week from the Conservationists of Frontenac-Addington, who are concerned that their fish stocking is being cut back from some 3.3 million eggs to some 200,000 eggs for pickerel. I've heard concerns of cutbacks in splake stocking in the Parry Sound migrant area as well.

We're also seeing cutbacks in the Ministry of Natural Resources in terms of counter service available to people. That service for many different functions, like picking up

licences or permits for various things, is being switched to ServiceOntario. I think that is unfortunate.

I would like to wrap up by saying that I think it's important that this bill receive committee time. I'll be looking to hear input from various groups and individuals who would like to come before committee. Obviously, there are some different viewpoints on how the bill can be improved, and we look forward to hearing from groups at committee and going forward with this bill.

**The Acting Speaker:** Questions and comments?

**Mr. Gilles Bisson (Timmins–James Bay):** I thought those were quite good comments on the part of the critic from the official opposition in regard to this particular bill. I think most members have not had a chance to read this bill in some detail. I've had the opportunity to do so. This is my third occasion. I had an opportunity to read it when it was first printed. I read it as my Easter weekend reading assignment, in preparation for class this afternoon, as I will be doing my contribution to second reading debate in a moment.

I will have an opportunity to speak to a number of these, but I want to canvass Mr. Miller, my good friend the member from the official opposition, on the following. First of all, I think we're both generally in agreement with the direction that the bill takes. We believe this bill should go forward, that it should go to committee. A number of the questions that we have I think need to be dealt with in committee. Generally, we agree with what this bill will do, for the most part, but—a couple of big “buts”—the question is going to be to my friend the member from the official opposition: how he feels this may impact negatively on First Nations rights when it comes to access to traditional lands.

I'll have a chance to speak to this a little bit later, but these are concerns that I've had raised with me by a number of aboriginal communities and organizations that have seen this bill, that have gotten wind of it and started to read it and have said, “What does this mean for us?” in regards to traditional access to lands that they used to use for hunting or they have to use to build a winter road in order to get from community A to community B. If it happens to be through a provincial park, how are those things going to be impacted? As I read through this bill for the third time, I think I have some reason to be worried.

As well, I'm just wondering what his views are on the issue of the banning of motorized vehicles in the wilderness parks. We understand that's all it's intended to do, but does he have a fear, as some I've heard out there do, that this may somehow be expanded to other parts of the province?

**The Acting Speaker:** Questions and comments? The member for London–Fanshawe.

**Mr. Khalil Ramal (London–Fanshawe):** Mr. Speaker, I'd just like to thank you for giving me the opportunity to make a couple of comments on the speech of the member from Parry Sound–Muskoka.

I listened to him carefully for the last hour. He was talking about the bill as if it was something new. I want



to invite the member to go back to the bill and read it. There's nothing new in it, basically, except enhancing the mechanism to protect conservation areas and provincial parks. Most of the policies of the past will remain and many different issues that existed in the past will remain. This bill is only trying to protect the environment, to protect provincial parks. It's very important to protect those parks because by protecting the parks we're protecting the ecological system which all of us need in order to maintain the natural existence of so many species, so many animals. If we don't protect them, so many species will be extinct in the future.

Also, the new member from Toronto–Danforth was saying that this bill will allow motor vehicles to enter the park. I want to invite him to go back to the bill, subsection 7(2), which states very clearly that it prohibits non-motorized vehicles to enter parks, in order to protect those parks.

I also want to tell the member from Parry Sound–Muskoka to go back and read the bill very well. The bill is a great bill to protect the environment and to protect provincial parks. That's the direction of our government, because we look at all aspects—from the environment to nature to forests to lakes—all the stuff. That's why I want to commend the minister and his parliamentary assistants for the hard work they do in order to protect—

**The Acting Speaker:** Thank you. Further questions and comments?

**Mr. Barrett:** I enjoyed the presentation by the member from Parry Sound–Muskoka. He knows of what he speaks with respect to Bill 11, with respect to provincial parks and conservation reserves.

The member from Parry Sound–Muskoka made mention of the Leslie M. Frost Centre in Dorset. It was a shock to many of us when the announcement was made that that centre was going to close. As the member indicated, we had about one day's notice, one day of consultation, if you will. That, in a sense, reflects what we consider is a deficit of consultation with respect to this particular bill. We hear there were two months of consultation. There were a number of form letters that came in. Again, we put that up against the Ontario's Living Legacy consultation process: 65,000 people were involved in that consultation process. As a result of a very long, comprehensive process that covered the province from side to side, 242 major recommendations came forward. The member made reference to the Wildlands League, and I quote their take on the Lands for Life process, which soon became Ontario's Living Legacy. They describe that as truly a legacy to be proud of.

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The member made reference to cutbacks. I guess my question is—and I do have a question—is this government providing the resources to continue on with the good work they have inherited with respect to protecting the resources in Ontario? Obviously, Ontario's Living Legacy was the biggest expansion of parks and protected areas in Ontario, but it does need resources to continue that legacy.

**The Acting Speaker:** Questions and comments?

Okay, I'll return to the member for Parry Sound–Muskoka. You have two minutes to reply.

**Mr. Miller:** Thank you to the members from Timmins–James Bay, London–Fanshawe and Haldimand–Norfolk–Brant for their comments. I would say to the member from Timmins–James Bay that certainly access to traditional lands for First Nations people is a concern. It's not all that different for the people I was speaking to in the New Liskeard area this morning, whom I spent half an hour on the phone with, who are concerned about their access to things they've done for a long time, whether it be hunting, fishing or other activities, and how they will be affected. That's certainly part of the balancing act, I would say, in terms of bringing parks legislation forward.

The member from Haldimand–Norfolk–Brant talked about cutbacks. One of the e-mails I didn't get to was from a conservation officer at Arrowhead Provincial Park, just north of Huntsville, illustrating how their budget from Ontario Parks is being cut back and how, at the current time, unless things change, they aren't going to have enough funding to get through the summer. In fact, they say the funding for park wardens will run out by mid-August unless things change. We've heard stories about conservation officers having to fill up their vehicles themselves because the government is not providing sufficient funding for them in terms of being able to do the jobs they need to do.

There are some other concerns I have that I'm sure I'll get a chance to raise at committee. There's one specifically to do with the powers of an officer under this act. I note that an officer, which includes a park warden, a park ranger or a district manager, can search without a search warrant, which seems to me to be excessive power, but perhaps there's a reasonable explanation for it. I look forward to getting further input at committee on this bill.

**The Acting Speaker:** Further debate. The member for Parry Sound–Muskoka; I'm sorry, Timmins–James Bay.

**Mr. Bisson:** Wow, I knew I was in northern Ontario, but a little bit further north than that.

First of all, I want to say how pleased I am to be here with you this afternoon, participating in this particular debate. In fact, I was supposed to be speaking at a conference this afternoon and rushed back to the Legislature to be here to do my lead. Unfortunately I had to get my colleague, Mr. Angus, to replace me at this particular conference. I want to thank, on the record, my colleague, Charlie Angus, our federal member of parliament, who is going to be with the steelworkers tonight in Timmins as they go through what's called their wood conference, where the union will be meeting in order to discuss a number of issues with regard to the forestry sector and how it affects them and all of their members. I certainly look forward to hearing back from Charlie. I had a bit of an opportunity earlier this morning to speak to the conference. I'll get a chance a little bit later in this debate to say that there are a lot of upset people, to say the least, in northern Ontario with regard to this government's handling of the forestry file.



It's Tuesday, after the long weekend, and we're here debating Bill 11. Bill 11, for those people who don't know, is going to take provincial policy, when it comes to dealing with provincial parks, and throw it into legislation. I always like to keep things rather simple so that people know what we're doing. I can sit here and read through the bill and talk about sections 5, 6 and 7, and I know that Zacharie Fogal, the page from Timmins, would be riveted, listening to this particular speech, if I did that. But I'm going to disappoint you. I want to keep this so that people understand what I'm talking about.

Currently, the system is that Ontario is responsible for the care and maintenance of a number of provincial parks across this province. These are great legacies that have been left to our generation and the generations after to enjoy the wilderness. For example, everybody has heard about Algonquin Provincial Park. The Group of Seven, artists who were renowned across the world and made their mark on Canadian history, really cut their teeth painting the scenes of Algonquin Provincial Park as we know it today. Many people have heard of that park and have travelled there in order to participate in the wilderness experience that is offered in the park. We have Polar Bear Provincial Park in northeastern Ontario, along Hudson Bay and James Bay, that protects a certain part of land to make sure the Mushkegowuk area is protected at all times, so that a hundred years from now, or maybe a thousand years from now, we'll still be able to experience the nature of Ontario at its finest, as it was when we first came to this land and as those who lived here before us, the First Nations people of this country, experienced it.

We're saying that currently there are provincial policies about how you run a park. Right now the system is that the minister, rightly so, has a number of people working for him or her, as the case might be, for the Ministry of Natural Resources, who work very hard in the parks system in order to make sure that proper regulations are made, that the rules are followed, that our parks are maintained and that things are done in such a way that protects the natural heritage that we find in a provincial park. What the government wants to do in this legislation is say that this will no longer be in the domain of a provincial policy; rather, it will become a law.

On the surface, a lot of people can applaud that. A lot of people can say, "Do you know what? By making it a law, in the future that means no minister can go off and do something bad that would negatively affect the park." I think that's good. But we all know—some of us have been around here longer than others, but most of us understand that once you throw something into legislation, you'd better make sure you do a good job. If you don't do a good job, you're going to have to live for a long time with whatever we vote on in this House, because getting House time to make a change to a particular act is very tough to do.

I'll give you an example. I got a phone call last week—and maybe my friend Mr. Miller got the same kind of phone call—from people who are in the business

of tree planting. This is related to MNR, but I think it makes the point I want to make with regard to why we need to be careful when we put stuff in legislation. Back in the year 2000, the provincial government made changes to the Employment Standards Act to make sure that the sections that deal with minimum wage were beefed up so that employers couldn't get out of their responsibility of paying people who work for them at least the minimum wage. All the people in this House generally agreed with that and the bill was passed. I don't know what the vote was, but obviously it passed because it got a majority of this House.

Here's what we find now. I got a phone call from a forestry company in Hearst that said, "I just had the Ministry of Labour inspector come into my business to do an inspection this fall, and they're charging me because I'm not paying tree planters minimum wage. I have to pay them an hourly rate."

Anybody who knows anything about tree-planting knows that it's paid by the seedling. There's not a tree-planting company out there—I don't think there is; if there is, I stand corrected but I don't know of one—that pays the workers an hourly rate. In fact, the average planters—I would say most of them, do far better than what they would get at the minimum wage if you had to figure out how much they get paid for the number of seedlings they put into the ground. But what happened in this case was that the Ministry of Labour inspector came in and said, "There was a change in legislation in 2000, and as a result of that change I have to make sure you're paying your people minimum wage. You have to show me how many hours these people have worked and you have to be able to show me that you've paid them minimum wage for the hours they worked."

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You know what piecework is like. Tree-planting is a very seasonal thing, first of all. It's very dependent on what's going on in the cut they're in, as far as the type of ground they're planting in. It's also very dependent on weather. You may get a day when all the tree planters are there, ready to plant, but it's raining cats and dogs, as they say, and they can't safely walk into the bush to do it because of the type of ground they're on. So they have to sit in camp and wait a day, and the next day, they go out and do some planting. Over the week, if you figure out the day they didn't work, they may not have gotten the minimum wage. But, by and large, they get more than the minimum wage by the time the tree-planting season is over. There would be very few people, I would argue, who are paid less than a minimum wage in the tree-planting business. Most people, when they get the hang of it, get far more money.

I know that my eldest daughter, Julie, who is now 29, tree-planted when she was going to university and made quite good money. By the way, she had her birthday last Sunday; thank you very much, everybody, for saying "Happy birthday" to Julie.

**Mr. Peter Fonseca (Mississauga East):** Happy birthday.



**Mr. Bisson:** Very good. I'll pass your comments along.

I imagine there are a number of members in this assembly who have children, nephews or nieces, neighbours or friends who went out tree-planting, because it's a good way to make some dollars real quick in the summer, if you are a summer student.

In this particular case, the tree-planting company has been audited by the Ministry of Labour, and they have to change their entire bookkeeping system in order to calculate how much the piecework is, compared to the minimum wage, in order to make sure that people get paid the minimum wage in the end.

A pretty good indicator is if the person stays. If the person who is planting is not making at least the minimum wage, they're going to quit. That's the way it works; that's how tree-planting works. But most people who go into tree-planting make far more money than the minimum wage.

This particular company is saying, "Listen, I want to be compliant with the law, and I'm not saying I'm going to be outside the law, but this is kind of a negative. Forestry companies are squeezing us every minute in order to reduce the amount of money they pay us to replant trees. We're getting less per tree planted today than we did 10 years ago, when you figure out the true cost—what we're being paid and what it costs. On top of that, I'm being told that I've got to spend two to three hours a day having somebody basically bring all the"—les données. Monsieur Lalonde, help me: How do we say "les données" in English?

**Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell):** Statistics.

**Mr. Bisson:** The statistics. Thank you very much. That's what happens when you go from one language to the other: You get mixed up sometimes. They have to bring all the statistics off the planting area into the office to put into somebody's computer so they can generate a report for the Ministry of Labour—

**Mr. Lalonde:** Data.

**Mr. Bisson:** —data; that's the word—in order to convince the Ministry of Labour that they're actually paying the person the minimum wage.

My point is that it's an example of how, when you put something in legislation, you may very well end up getting the opposite result that you're looking for. So I'm saying to the government that this legislation goes in the right direction. We're not going to oppose it; we're going to allow this bill to get to committee, because we think much of what is in this legislation is supported. But we really need to make sure we give a good enough amount of time for the public to come and talk to us about this bill.

I would encourage First Nations, outdoor groups, environmental groups, forestry companies, mining companies—anybody who is remotely interested in the forest and provincial parks—to take a look at this legislation. If you're out there and you happen to be Earthroots, the Peaceful Parks Coalition or the Rod and Gun Club—

whatever you might be—if you have somebody on staff who can look at this bill, I suggest that you get a copy off the Internet, read through it, try to understand it, contact your local MPP in order to get answers to questions you may have and then, when the bill comes to committee, come before our committee and tell us if we're doing something in this bill that is going to be more restrictive than it needs to be.

I don't think a cottager disagrees, I don't think an environmentalist disagrees, I don't think a forestry company disagrees—I don't think there are very many people who disagree—that we have to do all we can to make sure we protect our provincial parks and that that legacy is there for everyone. And we all agree that we want to do a good job. We all say that at the end of the day let's make sure we do this in such a way that it makes some sense, so we achieve the objective, which is to keep the park in its natural state as much as humanly possible. I think we all agree with that.

But as I go through this legislation, I've got some questions. I'm going to raise those. It's not because I'm opposed to the bill. I'm just one lowly old MPP working hard on behalf of the constituents of Ontario in his riding, who is trying to learn Spanish all of a sudden—

**Mr. Robert W. Runciman (Leeds–Grenville):** Learning Spanish?

**Mr. Bisson:** No, actually I'm not. Why would I want to learn how to—Do you know what? If I had to learn a language, mine would be Italian. There are more Italians living in my riding. I wish I could speak a third language. In fact, I'd like to speak Cree. I think Spanish would be the last one for me. But that's another story. I obviously didn't read the papers in any detail today by the sound of it, right? I just heard the tail end of that as I walked in.

I want to raise a couple of points on this bill that I think need to be raised. The first one is under section 7, the classification of provincial parks. This is one that people are going to have to look at. I think it might be okay, but I'm not 100% sure. It's going to touch on the issue that the Conservative critic, Mr. Miller, raised in regard to the issue that people in New Liskeard had raised with him. First of all, there has been this practice by the ministry of no response, as my friend Albert Cauchon often calls it—they don't call it the MNR; they call it the ministry of no response, and I'm going to put that on the record—of all of a sudden deciding one blue Sunday that they're going to ban access to somebody's area that they've been fishing for three generations. If you want to drive a northerner crazy, that's the way to drive a northerner crazy, and it happens.

There's not a northerner who disagrees with the conservation of our areas. I know my good friend Mr. Rossetti would agree with me that we've got to do all we can to protect the natural heritage. That's our backyard. The biggest environmentalists, for God's sake, are people who live in my backyard. Why? Because we're the ones who use it. I don't want Kamiskotia Lake, where I've got my cottage, to have all kinds of development, trees being cut down and people fishing the lake out. No, I want that



thing protected so that I have the same kind of thing, with the connection to that area of the land, that my dad had, that our girls will have and hopefully that our grandchildren will have.

I want to put on the record that I am an environmentalist when it comes to protecting that place I call home, northern Ontario. I know that every member in northern Ontario and other members feel the same way. I want to say that because people sometimes say, "You know, these northerners get up and talk about rights of anglers and hunters and somehow they're not environmentalists." Let's put all this into context.

Here's what happens. A good example is the MNR district of Chapleau. That is a notorious one. I get more phone calls out of that area when it comes to closing down areas that people have been fishing for years than any other area that I had. In fact, that's not in my riding; it's in Mr. Brown's riding, the Speaker of the House. For a while there, for some reason, the whole Living Legacy process and the other process before that to create new tracts of land to be protected was encompassing parts of the geography of that area that were conducive to creating parks. But here's what the effect was.

You have a family—I'm just thinking of how many different ones I've dealt with. I won't use names, because I'm going to miss somebody's family and somebody's going to get mad. But here's the point. You've got a family that has been fishing Lake X. The son has been fishing there. He's been fishing it with his father and his father fished it with him, and the daughters went and mom went. It was just a place that the family went and really enjoyed northern Ontario. So yes, they got on their ATV and drove up the logging road because they couldn't get any further in their four-by-four truck or their station wagon, whatever they may have. They got on to a smaller trail that was there because the logging company created it some 60 years ago, or a mining claim. They drive to a lake that has no camping on it, that's got no cottages. It's just a wilderness lake. Yes, they pitch a tent, they take out their fishing rods and they go fishing. What are they doing wrong?

Most people I know who fish are conservationists. I am one. For example, when I go fishing, I don't take anything back. The only ones I take are the ones that when I take the hook out and it's going to damage the fish, then I try to cook it on the shore for shore lunch. But most people are like me: They go for the pleasure of being there on the lake. There's something about being on a lake in northern Ontario on a beautiful afternoon or a beautiful evening and just enjoying what is the natural habitat that I'm looking at.

**Mr. Jeff Leal (Peterborough):** Hear the loons calling.

**Mr. Bisson:** Hear the loons calling, the beavers swimming by.

A funny story: I'm in with my dog, Misty. Last year we got this black lab—I digress for a minute. She's a wonderful dog, about three years old. She loves going fishing. So I'm out on the river with her one day and I

decide I'm going to go up this particular branch of the river and I'm just going to sit there and enjoy. I'm going to eat a sandwich, and I had a pop with me. I'm sitting there all by my lonesome fishing with my dog, right? Misty's sitting, as she always does, in the bottom of the boat, and all of a sudden, unbeknownst to me, there's a beaver behind my boat and my dog goes bolting out of the boat after the beaver. If the beaver ever got a hold of my dog or the dog ever got a hold of the beaver, I can tell you who would have won: It would have been the beaver, never the dog. Anyway, I had to try to lift this dog back into my small boat. Oh boy, what a mess that was. Misty doesn't jump in the lake anymore. But I digress; that's another story.

**1730**

My point is, families have been doing this for a lot of years. All of a sudden the MNR comes in and they say, "That's it. You can't go there anymore. Not only that; you can't access it by road. Not only can't you access it with your ATV, not only can you not put a motorized boat on the lake"—it's not like we're bringing in 120-horsepower Evinrudes; this is like a two-and-a-half horsepower so you can putt, putt, putt your way to the fishing hole. All of a sudden they say you can't even fish there. People go ballistic. They call their MPP's office, they call the mayor's office, they call the ministry, the MNR—I was going to say Albert's favourite title: the ministry of no response. I don't entirely agree with everything Albert has to say all the time, but quite frankly I understand his frustration. It's from that sense of not being talked to, not being listened to, all of a sudden finding out that a lake has been taken out of existence and out of the mix without anybody having a chance to say anything about it.

Again, I want to say very clearly that all these people are conservationists. There's the odd poacher out there, but that's why we have the MNR game warden. They go out and find those people and charge them. Most people don't do that. Quite frankly, most of the ones that get caught are not from northern Ontario. I can tell you some stories about some of our friends who come in, travelling from other parts of—I wouldn't even say Canada, but south, the United States—getting charged with some pretty big caches of fish and birds and all kinds of stuff. Not to say it's only them. By and large, my point is, people are environmentalists.

I look at this particular section and I think it might be okay, but I'm not sure. It says, "The Lieutenant Governor in Council may classify provincial parks in one of the following classes," and it lists six of them, one being a wilderness class park. You read subsection 7(2), and it says, "The objective of wilderness class parks is to protect large areas where the forces of nature can exist freely and visitors travel primarily by non-motorized means"—that means no more ATVs and all that stuff.

I think we all agree that we want to protect nature. But what do you do when we decide to protect nature after people have been using a particular area for a long period of time? I understand those parks that are there, and I



think most people say, "Okay, we know where those boundaries are. I've always known I'm not supposed to fish there and that's the rule, and I go fish somewhere else." But will this in any way make the current situation harsher for those people who are trying to get access to those parks, parts of the lakes and stuff? Maybe, maybe not.

**Mr. Ramal:** No.

**Mr. Bisson:** Hang on. I'm just putting this on the record because I believe that the environmentalists need to look at this, I believe that cottagers need to look at it, the anglers and hunters need to look at it in order to find out if it does or doesn't.

Then it talks about nature reserve class parks, cultural heritage parks, natural environment class parks, waterway class parks and recreational class parks. In all of those subsections, (3) through (6), it doesn't mention a ban on motorized vehicles.

**Mr. Ramal:** Section 7.

**Mr. Bisson:** That's what I'm saying. In section 7 under subsections (3) through (6)—subsection (2), which deals with wilderness class parks, prohibits the use of ATVs and such, but as I see it, subsection (3) all the way to subsection (7) permits it. I think that's what the legislation is trying to say, and people need to come before our committee and speak a little bit to that point to find out that we have a comfort area about what we're doing here.

The effect is this: Once this bill passes, if it passes in its present form, bam, you can't change it unless you get an act of the Legislature. If it's provincial policy, they can at least go to the MNR and say, "Minister, fix it for me," or in some cases, as they do, I pick up the phone and call my local MNR people and say, "I have a problem," and they say, "Yes, that is a problem. We never thought about that when we developed the policy. Let's fix it." So there's a little bit of ability to fix those things now. Once we throw them into legislation, there won't be anymore. So I want to make sure that those people who are affected one way or another on this issue have a chance to come and talk to us, state their case and tell the committee why it's important that we do or don't do something, and if we do, are we doing it in the right way? I only raise this issue because when areas are restricted once they've been used traditionally by someone, it becomes a really big problem.

The other issue around this, because this is one that was raised to me by the good people of—I'm trying to remember what First Nation it was. I may have it wrong. I'm not sure if it was Webequie. I can't remember. It was one of the communities I visited this summer. I'll remember a little bit later. What happened to them was they had a park that was created around them without their knowledge. Nobody came to them as a First Nation and said, "By the way, we're creating a park." A park was created because of Living Legacy, and as a result their traditional hunting area and their traditional areas of access got restricted and they were no longer able to use it. For example, some people in the community made a

living by acting as guides, bringing people in either for hunting or fishing or in some cases, because it's becoming a bigger and bigger business, eco-tourism. A number of people booked guides to do eco-tourism. They said that the eco-tourism wasn't so much a problem, but when it came to hunting and fishing, "We couldn't bring them in any more. All of sudden, we're getting charged by MNR and we didn't know there was a park there."

I look at sections like this and say, all right, okay, we're throwing this into legislation; what does this mean for people? So I would encourage the Chiefs of Ontario, NAN, Treaty 3 and others, along with all the tribal councils and communities, to look at this legislation. Have your people look at it with an eye towards how this is going to affect you in one way or another.

My recommendation to the government is, we should put a non-derogation clause in the legislation just to be sure. I don't think you can write a bill where you truly know that you're not stepping on somebody's ability to access what is traditionally their land. There should be some sort of non-derogation clause that deals with the First Nations, and possibly with some of the other traditional users as well, so if there is something that we didn't think about in the legislation, there's some mechanism to deal with it.

Let me give you a good example: Polar Bear Provincial Park. Currently, the community of Peawanuck operates tourist outfitting in that area. Does this now mean that those people like Sam Hunter and others who make a living doing tourism in that area—it's not so much an issue for eco-tourism, because they're going to have to operate within—well, it is to an extent. I'll talk a bit about the eco-tourism side a bit later. But if they bring somebody fishing or something into a lake that's in the park, does that now mean they can't do that anymore? I don't know. Maybe no, maybe yes, but that's what we need to look at.

The other thing is, for example, if the community of Peawanuck builds a winter road to Fort Severn. To give people a bit of a sense of the geography, Peawanuck is the second-most northerly community in Ontario. Fort Severn and Peawanuck are on Hudson Bay and they're about 80 kilometres apart. To have a winter road to connect Peawanuck to the rest of the world, it's faster for them to build a winter road from Peawanuck to Fort Severn than it is to build one from Fort Severn down to Attawapiskat to connect on their winter road. For somebody living in Peawanuck to get fuel in to run their generators, building materials and all that, it's cheaper to do it on winter roads. A winter road through Polar Bear Provincial Park is what they're trying to do—and they're having a heck of a time trying to get that to happen—from Fort Severn all the way into Manitoba so they can haul stuff back because it's the quickest way to do it.

My question becomes, what happens to the winter road that they're now trying to construct in Peawanuck where they're applying to use part of the winter road to go through the provincial park? To date, MNR policies have said you can't go through the provincial park; you



have to go around it, to the north of it. They have to build the road where it's more expensive to build and maintain, plus they have to build more kilometres to get to where they need. They've had an application for about three years to go through the park, because it would be less expensive for them to build and would be a more direct route, which would be more economical for everybody.

The MNR has been working—and I give them some credit, along with Minister Ramsay—at finding a solution. I've got letters this thick in a file, when I go and take a look at it, that talk about that whole paper trail of the government trying to come to terms with this. Once you throw this into legislation, will they be able to continue that process? Will they still be able to build the winter road at the end of that process if this legislation passes? I don't know. They'll want an exemption, and I'm going to get to that. What it says in here, and I was going to get to that point in a second—I believe it was around section 20, if I can find it very quickly. It was section 19, actually. It talks about how the minister has some discretion.

But we need to find out that the legislation, as written—especially under “utility corridors,” subsection 19(2), if you're looking for it: “Subject to the policies of the ministry and the approval of the minister, with or without conditions, utility corridors, including but not limited to utility corridors for electrical transmission lines, are permitted in provincial parks and conservation reserves.”

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We're making it clear that we can put a hydro line through it. Are we making it clear that you can put a winter road through it? What about the community of Peawanuck? I don't know; I'm not the expert. I don't pretend, as a legislator, to truly understand that it does what the government wants it to do. I'm not convinced that the government wants to block future access for the Mushkegowuk Cree and Peawanuck to get a winter road into Fort Severn, because it is the stated goal of this government to try to fix that problem. So let's make sure this legislation doesn't block that. That's my point, that we've really got to get to committee to ask ourselves the questions around all of these particular issues to make sure people don't get caught up in something that at the end of the day may or may not be restrictive.

Again, I want to say on the motorized vehicle part of the legislation, as I read it, I take it that all the government wants to do is restrict access in one particular class of park, the wilderness class park. On the surface, that kind of makes sense. I'm not prepared to go jumping off the ceiling on this thing just yet. But I want to make sure that northerners come down and speak and ask, “Does this mean you're not going to affect me in all these other areas?” as the MNR has been doing over the past number of years. If we're taking policy and putting it into legislation, what's to say that something in this legislation is not going to further restrict somebody's access to a particular area that they've been accessing for some time?

For example, there are a number of waterway class parks up in my riding, as there are across the province. Up to now, people have been allowed to use their boat and motor to go fishing there; it's not restricted. I read the legislation and I believe that still will be allowed, but I'm not convinced. As I read the legislation, it talks about the purpose of that—because you have to read the purpose clause first and then you have to read the section of the legislation. The purpose clause is very clear, because it talks about how this is about making sure that we protect that land for future generations and that it's not impacted. That says one thing. Then you read this particular section that says, “The objectives of natural environment class parks are to protect outstanding recreational landscapes, representative ecosystems and provincially significant elements of Ontario's natural and cultural heritage and to provide high-quality recreational and educational experiences.”

I read that and I don't see the words “motorized vehicle” in it, which tells me that you can probably still use your boat there, but we need to make sure that that's in fact what it says. That's why people have to come to committee and ask that question of the government and the committee, and they've got to hear from the government and those responsible for drafting the bill clearly what the intent is, so that if ever this thing goes to court there's a record somewhere where the judge can say, “The intent of the government was never to do X, Y or Z.”

As you read that, it seems innocuous enough, but then I go back and read the purpose clause and it's fairly clear what the government is trying to do by way of purpose: “The purpose of this act is to permanently protect a system of provincial parks and conservation reserves that includes ecosystems that are representative of all of Ontario's natural regions, protects provincially significant elements of Ontario's natural and cultural heritage, maintains biodiversity and provides opportunities for compatible, ecologically sustainable recreation.”

What does that mean? I take it that it means you can still take your one-and-a-half Evinrude down that river way. I take it you can still do that—I hope, because that's where I fish and where other people fish. Does that mean to say that somebody down the road in an MNR office somewhere in Chapleau one day is going to all of a sudden look at that and say, “That means you can't use a boat and motor”? I don't know. It may or may not.

I'm saying we are all for making sure that we protect our land, we are all for making sure that we do things where there's no negative impact, but we don't want to so restrict access to people that they can't enjoy it in some of the traditional forms that we've always enjoyed it. I would argue that you don't want to be running up that waterway with a speed boat and a bunch of water skiers behind you, but there's certainly nothing wrong with taking your one-and-a-half Evinrude on the back of your small boat and going out to catch a couple of perch or pickerel or whatever might be there.

Or doing eco-tourism. I've got to tell you a story. Peter Kormos is the biggest eco-tourist in the Legislature.



People don't know that. Seriously. I brought Peter on a trip about four years ago. He said, "I really want to experience what you see in your backyard." I said, "Come out to the cottage and I'll take you for a little trip down the river." Peter's here to remember the story. We got into my boat. He remembers that. He's still tired thinking about it. We got into the boat, and this was on the Kamiskotia River.

**Mr. Peter Kormos (Niagara Centre):** That was no boat and that was no river.

**Mr. Bisson:** That was a river and that was a boat, Peter. Don't worry.

We got on this river and we started going down. I think we saw a lynx that day. We saw cranes, a moose, all kinds of stuff.

**Mr. Kormos:** Moose droppings.

**Mr. Bisson:** And moose droppings all over. It was a really beautiful experience of just going down and enjoying the river for what it was and just seeing what the natural environment looked like. But if that is made a waterway-protected park or whatever they call them in the legislation, does the purpose clause exclude me from taking my one-and-a-half and me and Peter jumping into a boat, going down to enjoy the scenery? I would argue that the one-and-a-half Evinrude is not going to do any damage to the Kamiskotia River. All you've got to do is go take a look at the damage the Kamiskotia mine did to the Kamiskotia River. I can run my one-and-a-half Evinrude all-out for 100 years and it'll never come close to what that mine did to it. In credit to our government and the Conservative government and now the Liberal government, we're cleaning up that disaster at taxpayers' expense, but that's for another story.

So I want to make sure that we don't have legislation that is so encompassing and written in such a way that all of a sudden somebody decides to interpret the legislation a certain way at MNR or MOE and say, "No. Too bad, so sad. You can't take the one-and-a-half Evinrude down the whatever river."

The other thing I want to talk about really quickly is one of the sections of the bill that deals with—this is under section 9 of the bill, on page 7. It says: "The minister shall ensure that the ministry prepare a management direction that applies to each provincial park and conservation reserve." It goes on to describe what the minister has to do, and it says, "by the fifth anniversary," blah, blah, blah, the minister has to have this done. Then I take a look at section 10 on the next page, and it says the following: "For the purpose of this section, management plans and interim management statements for provincial parks and statements of conservation interest and resource management plans for conservation reserves that exist"—the key word is "exist"—"on the day that this section is proclaimed in force shall be deemed to be approved management directions."

You know as well as I do that some of the provincial policies are the very reason why we're doing this legislation. Some of the policies, quite frankly, didn't achieve the aim of adequately protecting the environment, and in

other cases are very restrictive, so that you've got them mad on both sides. You've got the environmentalists mad on the one hand because, for example, on the mixing issue, they see the data as being very skewed in favour of the developers. A lot of people say that those very policies are what creates the problem around the mixing issue. On the other side, there are those people who say it doesn't go far enough. When I read this here, it says that those particular policies may not be reviewed in time and will end up becoming the law. If that's the case, what do you do? So it means to say that now the law is proclaimed, it's enacted as in the bill, and we end up in a situation where a bad provincial policy that now exists on the books is now in the legislation. Do you know what that means? That means to say you've got to come back to the Legislature to fix it. Do you know how hard it is to get House time for a minister to fix a problem in a bill? Look at the former Minister of Municipal Affairs. He made mistakes in the first municipal assessment act, and we're still dealing with it. We don't have the House time. We had to do a unanimous consent motion in here two or three weeks ago to deal with one section of what was a flawed bill. If there wasn't agreement amongst the three parties, it wouldn't have happened. It would still be sitting there. Homeowners would be going crazy right now.

So I say, this is one that I think people who are learned need to be able to take a look at. Do we really want to make all parks policy the subject of the legislation? What it means, as I read it, is that the minister has five years to come up with provincial park policies through this process that he's going to set up in the legislation, these advisory committees, and, at the end of five years, has to introduce that and show it to the Legislature so that we can comment on it. It won't be debated; it's just something that's tabled in the House. That will become the policy of the legislation. That will become the regulation of the legislation. But there's an escape clause. It says that if the minister fails to do his job for five years, existing policy will become the regulation.

Whoa! Man, do I not like that one. That scares, I think, everybody. I think if you're an environmentalist and you're worried about what's going on with the mixing issue, as it happened at the Montcalm mine up in my riding, you're probably shaking in your boots, and if you're the mining corporation that's trying to get the mine going, you're shaking in your boots. Everybody's equally shaking on this one, because it means the same thing to both people as far as the restrictions of the current policy.

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I don't want, for a second, to pretend that all the parks policies in Ontario are bad; I believe most of them are okay. But there are some pretty bad ones out there that nobody can agree with—the environmentalists, the developers, the cottagers, the outdoorsmen or whoever, and we're saying that if the minister fails to do his job and doesn't come up with a park policy in five years, we're going to rely on what the current policy is and make that



the regulation of this bill? That is a really scary thought when you stop and think about it. I think people need to take a look at that. For those people watching on television or reading this in Hansard after, it's subsection 8(3), on page 6 of the bill.

Again, it may not be as I read it. All I'm saying is, I read this bill three times—more than anybody else, I would argue, because most people out in the public don't read legislation as bedtime reading, and I would argue that most members here don't read a bill unless it's their critic portfolio. I certainly don't read all the health bills, because I haven't got time. I read the bills that I'm the critic for and I try to understand them as best as I can. In my reading of the bill, it's subject to some debate, and the government's going to have to come up with good explanations as to what they really mean by this. Are they really saying that flawed policies that now exist can become subject to this bill in five years if the minister doesn't do what he's supposed to? I think that may be interesting.

That was the wrong section, by the way, that I just gave people. I was giving you another section; I had the bill open there. Hang on a second. Rewind. The five-year section was not 8(3); it's further on in the bill. I flipped the bill back to look at something else, and I just want to make sure that people get it. Don't you hate it when you do that? It's going to come to me later on; I'm going to run across it a little bit later. Look in the speech later, and you'll find it. Oh, yes; it's page 7, clause 9(1)(a). It says, "The minister shall ensure that the ministry prepare a management direction that applies to each provincial park...." Then if you go to subsection 9(10), it says, "Existing management plans, etc.," and that's where it takes the current policies and throws them in.

That brings me back to the issue that I put the page on for this one, and that is the whole issue of the government saying, "Oh, look at us. We're going to make it impossible for any minister in the present or future to steal any of that parkland and exclude it from the provincial park system," and how great this is. Well, not really. If you read the bill—more wiggle words. It says, on page 6, "Disposition of land, less than 2% of the area." Under subsection 8(3): "The Lieutenant Governor in Council may by order"—the Lieutenant Governor in Council is the ministers in the cabinet—"dispose of an area of a provincial park or conservation reserve that is less than 100 hectares or less than 2% of the total area of the provincial park or conservation reserve, whichever is the lesser." The argument is, they could take up to 100 hectares out of a provincial park by stealth through an order in council. That's what it means.

Then it says, in (4), "The Lieutenant Governor in Council may not order the disposition of an area of a provincial park or conservation reserve that is 100 hectares or more, unless"—that's pretty clear; this is where the weasel words come back—" (a) the minister first reports on the proposed disposition to the assembly." All right. So the minister tables something in the House and says, "I'm going to dispose of 4% of a park." Then

what? It says that as long as he follows one of these things, he can do it.

"(b) the minister tables the proposed new boundaries of the provincial park or conservation reserve with the assembly...." Okay, the minister's told me. He's got a majority; he can do what he wants, I guess.

"(c) the assembly endorses the proposed new boundaries of the provincial park or conservation reserve."

As I read that section of the legislation, is it (a), (b) and (c), or is it just (a) and (b)? I think we need to make that clear. I would think it's probably all three that will count, but we need to make sure that all three subsections come into play. What it definitely says here is, you can dispose of 100 hectares or less just by order in council. You don't have to come to the Legislature, which means to say that it might be a part of the park that people are tied to and have some attraction to and really want to see protected, and the minister can do what he wants. Is that what people want? Are the environmentalists happy with that? Are developers happy with that? I don't know. We need to hear from a committee. Then it goes on to talk about the exception, which is not being able to get rid of more than 100 hectares unless one of those three conditions is met. So we need to make clear that it would only be on the vote of the majority of the Legislature that something like that could happen over 100 hectares.

I guess the other point is, never forget that the government does what it wants because it has a majority. So any government in the future could come into the House by use of its majority and basically get rid of any part of a park it wants. As I read that legislation, they could do it.

That's probably not different from what already exists. They probably would have to pay a political price if they tried to do it, so it's probably not that big of a threat. But I still think that people have to take a look at that and make sure they're comfortable with the precedent we're setting in the legislation. If you tried to eliminate a provincial park somewhere, I think you'd have enough people out in the front at Queen's Park telling the government it's a bad idea.

But I've seen big crowds out here before and, I'll tell you, it doesn't sway a lot of people sometimes. In fact, my good friend the Minister of Colleges and Universities would know that all the people from Collège Boréal in Timmins are outside right now saying, "Où est mon collège? Où est mon collège à Timmins?" They're yelling. I can hear them, and I want to make sure the minister hears them. I hope he does. I just have to do a little bit of lobbying through this debate, if you don't mind. I digress.

Anyway, I'd just say that we need to make sure that that section of the legislation actually does what we're trying to do.

The other thing is, when we look at this legislation, under "Prohibition" under "Administration and Land Use," subsection 12(2): "No person shall use or occupy land in a provincial park or conservation reserve except in accordance with this act and the regulations." This

brings me back to the point I made a little while ago: What happens to those First Nations people who have traditional use? We need to make sure there is a non-derogation clause in the legislation that clearly sets out that First Nations' rights will not be impeded by this legislation. At the very least, the government, as a way of making sure that we don't do that, have to have a clause in the legislation that says we will not take away any inherent right that people now have to land, especially our First Nations. We can do that by introducing a non-derogation clause, I would argue.

It's happened before. I told you the story. It was in Pikangikum—that's where it was; I was trying to remember where it was—where a park was created basically without anybody in the community knowing, and all of a sudden they lost access to their traditional land. The same thing happened in Peawanuck when they created the Polar Bear Provincial Park. I speak to elders in that community. Last time—I think it was last fall—I was in Peawanuck talking to a number of people in the community at an informal meeting, and people talked about how the Polar Bear Provincial Park was created. Generally, they were supportive of protecting that area in perpetuity because they want that to happen too. But they said, "Jeez, in doing that, you've imposed all kinds of limitations on us that prevent us from being able to do what we traditionally did here: hunt and gather to live off the land." These people have been doing it for thousands of years before we Europeans showed up and all of a sudden we're saying to them, "You can't use your land because we're making it our backyard and we're making it our park." Some people were pretty insulted by that. So

this particular section of the legislation, I think, speaks to the need to have a non-derogation clause so at the end of the day we don't end up doing to the First Nations what we've done in the past.

The other community where that happened, if I remember correctly, was in Howard Hampton's riding in Wapekeka—I never pronounce it right. Let me do that again—W-A-P-E-K-E-K-A—so Hansard doesn't have to send me a little note to ask me how you spell that. It was the same situation there, where the park was literally created in the dead of the night. Nobody was ever consulted. They ended up with a park around their community. What did that mean? They lost traditional access to that particular land that they'd always used.

It then goes on about prohibited uses under section 15 of the legislation. On page 10 it says, "The following activities shall not be carried out on lands that are part of a provincial park or conservation reserve." A lot of these things we can accept to a degree: timber harvesting, generation of electricity etc. But "extracting aggregate, topsoil or peat"—in some cases, that's the only place you can get the aggregate to build a road. For example, if we wanted to build a road up the James Bay, there are some provincial parks that we're going to have to go through—oh, time flies.

Mr. Speaker, it being almost 6 of the clock, I would ask that we adjourn the debate for the next day.

**The Acting Speaker:** Thank you very much. It being 6 of the clock, this House stands adjourned until later on this evening at 6:45 p.m.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Parkdale–High Park	Kennedy, Gerard (L)	Trinity–Spadina	Marchese, Rosario (ND)
Parry Sound–Muskoka	Miller, Norm (PC)	Vaughan–King–Aurora	Sorbara, Greg (L)
Perth–Middlesex	Wilkinson, John (L)	Waterloo–Wellington	<b>Arnott, Ted (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
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Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Willowdale	Zimmer, David (L)
Prince Edward–Hastings	Parsons, Ernie (L)	Windsor West / Windsor-Ouest	<b>Pupatello, Hon. / L'hon. Sandra (L)</b> Minister of Education, minister responsible for women's issues / ministre de l'Éducation, ministre déléguée à la Condition féminine
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	Windsor–St. Clair	<b>Duncan, Hon. / L'hon. Dwight (L)</b> Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Sarnia–Lambton	<b>Di Cocco, Hon. / L'hon. Caroline (L)</b> Minister of Culture / ministre de la Culture	York Centre / York-Centre	<b>Kwinter, Hon. / L'hon. Monte (L)</b> Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Sault Ste. Marie	Oraziotti, David (L)	York North / York-Nord	Munro, Julia (PC)
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	York South–Weston / York-Sud–Weston	<b>Cordiano, Hon. / L'hon. Joseph (L)</b> Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V. (L)</b> Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse	York West / York-Ouest	Sergio, Mario (L)
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Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
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St. Catharines	<b>Bradley, Hon. / L'hon. James J. (L)</b> Minister of Tourism, minister responsible for seniors, Government House Leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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No. 61B

N° 61B

ISSN 1180-2987

**Legislative Assembly  
of Ontario**  
Second Session, 38<sup>th</sup> Parliament

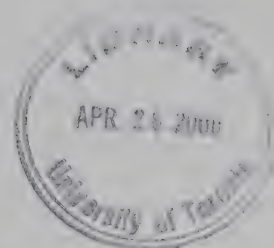
**Assemblée législative  
de l'Ontario**  
Deuxième session, 38<sup>e</sup> législature

# **Official Report of Debates (Hansard)**

# **Journal des débats (Hansard)**

**Tuesday 18 April 2006**

**Mardi 18 avril 2006**



**Speaker**  
Honourable Michael A. Brown

**Président**  
L'honorable Michael A. Brown

**Clerk**  
Claude L. DesRosiers

**Greffier**  
Claude L. DesRosiers

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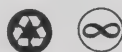
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 18 April 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 18 avril 2006

*The House met at 1845.*

### ORDERS OF THE DAY

#### BUDGET MEASURES ACT, 2006

#### LOI DE 2006

#### SUR LES MESURES BUDGÉTAIRES

Resuming the debate adjourned on April 13, 2006, on the motion for second reading of Bill 81, An Act to implement 2006 Budget measures and to enact, amend or repeal various Acts / *Projet de loi 81, Loi mettant en oeuvre certaines mesures énoncées dans le Budget de 2006 et édictant, modifiant ou abrogeant diverses lois.*

**The Acting Speaker (Mr. Ted Arnott):** When this bill was last debated by the House, the New Democrats had the floor, so now I look to the government side for a speaker. The member for Mississauga West.

**Mr. Bob Delaney (Mississauga West):** It's good to speak on a topic on which I feel very strongly, which is the budget that this government presented this year.

This bill places Ontario on track to eliminate a chronic budget deficit inherited from not one but two former governments. Ontario's public debt grew—grew, mind you—by more than \$24 billion on the watch of the former government. Shortly, the chronic deficits that contribute to that slide into public debt will stop and Ontario will have a sustainably balanced budget. That means a sustainably balanced budget without selling highways. That means a balanced budget without privatizing hospitals and schools. It means a budget in balance even as wait times in health care are coming down and as our infrastructure finally, for the first time in more than a decade and a half, begins to improve.

Let's be specific. For those of us in growing Mississauga, that means capital funds for three hospitals that serve us: Credit Valley in my riding of Mississauga West, the Trillium Health Centre in southeast Mississauga and the William Osler Health Centre in Brampton.

For surgeons in our hospitals, expanding infrastructure means more hours in the operating theatre each week. One of the conundrums for our surgeons is that the amount of time they can spend in the operating room practising their craft is often only five to nine hours a week. So expanding infrastructure in health care is one way to ensure that our surgeons, who have the capacity to do more, are able to do more. And making that pie bigger is

the only thing that's going to be necessary to decrease the wait times that have bedevilled those of us in the high-growth areas, such as Mississauga and Brampton, such as the fast-growing areas in York region, across the top of the city.

For those who need operations, addressing infrastructure in a deficit means shorter waiting times. It means you're going to get your operation sooner rather than later.

Contrast that with the approach taken by the Leader of the Opposition. The Leader of the Opposition exhorted us and said, "But you could have balanced the budget." Separate from that the Leader of the Opposition's difficulty in understanding the difference between one-time funds and ongoing funds. He said we could have balanced the budget, but that meant my telling people in Mississauga, "Well, we can't get a start on phase 2 of the Credit Valley Hospital." It would mean people in the southeast corner saying, "Well, we can't put more capital funds into Trillium." It would mean telling people, "Well, we can't build those new schools."

One of the things that one of my colleagues mentioned to me at dinner tonight struck home. We were talking about the frequency of trains and it occurred to me then that there are as many trains from London into Toronto as there are from Meadowvale into Toronto. There are a lot more people who need to commute each day on the Milton line, who get on that train at Milton and Meadowvale, and Streetsville and Erindale, and Dixie and Cooksville, and ride that train into Mississauga. The Leader of the Opposition would have them wait or sit in traffic. The last of those trains leaves Meadowvale, my home, every day at 8:10. The Leader of the Opposition would have anybody who wants to leave Meadowvale at 8:15 get in the car and join the traffic.

#### 1850

That's the difference between balancing the budget and addressing the infrastructure deficit. The key thing the government did in this year's budget was to address infrastructure, whether it means for people in Mississauga something as basic as better commuter service or as essential as better hospital service; or something that looks long-term such as more schools—and we are building schools in western Mississauga—to address the needs that we have in the fastest-growing part of our dynamic city, which is approaching some 680,000 in population, more than double what it was merely a decade and a half ago.

It's been my pleasure to stand on behalf of this government and address the budget that I'm so proud to defend, a budget that's so progressive, and I thank you for the time.

**The Acting Speaker:** Questions and comments?

**Mr. Peter Kormos (Niagara Centre):** I listened for all of the lengthy 300 seconds that the member spoke to the budget bill and I appreciate why he was brief, because regrettably, Bill 81 has so little to do with budgetary matters, other than of course the tax cut for the banks and the insurance companies at the expense of kids and their autism treatment—big tax breaks for the banks and the insurance companies. Oh, yes, shed crocodile tears for the Royal Bank, the TD Bank, the Bank of Montreal or the CIBC and their high-priced CEOs. Oh, just weep for them that they need \$1.2 billion in accelerated tax breaks, while the child benefit clawback continues. Some of the lowest-income families in this province, Mr. Tascona, are having their pockets picked to the tune of \$2,000 or \$3,000 a year, and don't think that doesn't mean that kids aren't going without shoes and clothing and some of the very basic essentials.

I'm going to be blessed to have the chance to speak to this bill in a few minutes' time, and one of the concerns I'm going to express is that the government has put together here a hodgepodge of schedules and thrown in some rather peculiar stuff that it was going to try to slide through this Legislature in a rather haphazard way, hoping that people weren't going to pick up on it.

I'm looking forward to Ms. MacLeod from Nepean—Carleton participating in the questions and comments, the two minutes she's going to have in short order, because I'm sure that she, as a Conservative, is as concerned about this as New Democrats are.

**Mr. Jeff Leal (Peterborough):** I listened intently to the very articulate presentation made by my colleague the member from Mississauga West.

While I'm on my feet, I'll wish the Peterborough Petes all the success this Thursday as they start the finals against the Barrie Colts. We look forward to having success on that front, too, like the budget, which was a big success.

This was a budget that really benefited the little guy. When I hear my good friend the member from Mississauga West talk about the increased opportunities and services being provided by the Credit Valley Hospital, that the budget initiatives were sort of the underpinning of that fine initiative in the area of Mississauga to help all the people in Mississauga and the people in the GTA, you can see that this budget goes a long way to support many good initiatives.

The member didn't mention it, but providing insulin pumps and supplies for families who have children with type 1 diabetes was a groundbreaking initiative. I believe we're the only jurisdiction in North America to provide that kind of support. The member from Thunder Bay—Atikokan was the real pioneer to bring forward the private member's legislation on that particular topic.

The member from Mississauga West did a good job to highlight the benefits that this budget will have for Mississauga and the GTA area, and when you look at it beyond that, the support of municipalities right across this great province in Stratford, in Cornwall, in Havelock, Peterborough. This budget has resonated through all parts of Ontario, providing the support that many of our municipal colleagues have asked for. I would ask all members of this august body, when it comes to a vote in the next few weeks, that we get on board and support this budget, which has great benefits for all—

**The Acting Speaker (Mr. Joseph N. Tascona):** Thank you. Questions and comments?

**Mr. Joseph N. Tascona (Barrie—Simcoe—Bradford):** I'm certainly pleased to join in the questions and comments part of the debate. The comments made by the member from Peterborough are just astounding, let alone shocking, that he could even consider that the Peterborough Petes would be in the same rink as the Barrie Colts. I know the member over there, the minister of post-secondary education, with the London Knights—I had the pleasure—they were in the Barrie Molson Centre also, and both teams were whipped decidedly by the Barrie Colts. I don't want to dwell on that, because we'll be hearing a lot of whining from the member for Peterborough over the next two weeks, and then we'll hear from the minister when London comes to town.

I would just like to say, on this particular budgetary measure, it's very important to recognize that this is the part of the year, April 1 to March 31, when the budget comes in place, not only for the operating side but also for the capital side. It's very important in my area, and I ask the Minister of Health with respect to speeding up the building of the RVH expansion, which I think is very important to our area. That hospital needs expansion and it needs expansion now. The fundraising efforts, which are ongoing, have been very successful, and actually there is a major event that I am participating in on Friday, the I Believe hockey game, which is Team Corson against Team Gartner. I'll be participating in that, raising funds at the Barrie Molson Centre for the RVH expansion. It's efforts like that which make it very important for the government to recognize, in their budgetary measures, that there are needs out there in the community and they have to be recognized and acted on and not pushed off in terms of some kind of budgetary hocus-pocus, because the need is now in Barrie—Simcoe—Bradford.

**Mr. Gilles Bisson (Timmins—James Bay):** "Hocus-pocus"—now, that's a word I haven't heard in a long time.

*Interjection.*

**Mr. Bisson:** Oh yes, there's this hockey rivalry thing going on. Don't you know that both the teams are playing golf about now? No, no, just joking. I'm going get in trouble over here.

I listened intently to the comments made by my colleague from Mississauga West. A couple of things: Budgets are about choices. It's about a government saying, "I choose to do this over the other thing." This



particular government chose to do some things that are, I think, not in keeping with what some of their fellow travellers, or people who supported them in the last election, would have liked to see them do. For example, if you take a look at those who are the most vulnerable in our society, those people who are on ODSP and those people who are on welfare have fallen back over the last 10 years by, some would argue, as much as 40% when it comes to the amount of money they get on either their ODSP pension or on OWA benefits.

I had a letter come into my office today. It was almost enough to bring anybody to tears. The woman said, "This is my monthly budget for myself and my young daughter. I'm disabled. I had a heart attack. I'm no longer able to work. My husband passed away some years ago." She's living on an ODSP pension and she lists how much she's got at the end of the month after she pays for rent, groceries, hydro and the phone. She was left with \$37 for month for spending money. That didn't even include the ability to buy cigarettes, because obviously she doesn't smoke with her condition.

She said, "I can't afford to live. What hope and what chance do I have to participate in our society and to feel that somehow or other there's going to be a better tomorrow?" The government chose not to, in my opinion, do what they could have done by at least eliminating the clawback. At least she would have been able to get another \$200 a month. That would have been a useful thing for her particular budget after she's only left with \$37, but the government decided not to reinstate the clawback that was put in place by the previous government.

1900

**The Acting Speaker:** The member for Mississauga West has two minutes to reply.

**Mr. Delaney:** I thank my colleagues for their articulate and forceful comments. The member for Niagara Centre pointed out that I had 300 seconds. I say to the member for Niagara Centre that in politics especially, brevity and punctuality are important. If you can't say in it five minutes, then you're likely never going to say in it 20 minutes. The member for Niagara Centre is going to speak at great length to the same subject and I'm sure that either I or my colleagues will have the pleasure of responding to his comments at great length in some two minutes.

To the member for Peterborough, I concur with you: Go, Petes. People in Mississauga are grateful for all the help that they get from members like the member from Peterborough. This member read our petition last year and he helped us in Mississauga get the funding we needed to get Credit Valley's phase two going, and I say thank you on behalf of the people of Mississauga to the member from Peterborough.

To the member from Barrie-Simcoe-Bradford: His hospital, as he clearly says, needs expansion and it needs it now, so we appreciate his support for our aggressive public infrastructure renewal plans that let the people of

Ontario invest in what matters to them, and nothing matters to them more than keeping Ontarians healthy.

Finally, to my colleague from Timmins-James Bay, who shares my passion for technology: He speaks, as he always does, very forcefully and articulately to the needs of Ontario's most needy. That's why Ontario invests 11 cents of every dollar—almost as much as it spends in education—to help Ontario's most needy people at the time of their lives that they need it most. That's why this government has always been committed to helping the most needy and why it will never waiver from that commitment to ensure the most needy are looked after in Ontario.

**The Acting Speaker:** Further debate? I'm pleased to recognize, for her maiden speech in the Ontario Legislature, the honourable member for Nepean-Carleton.

**Ms. Lisa MacLeod (Nepean-Carleton):** I'd like to start my maiden speech in this distinguished chamber tonight by first thanking by wonderful husband, Joe, and my beautiful baby daughter, Victoria, as well as my constituents in the great riding of Nepean-Carleton. On March 30, they sent me to this place with the highest percentage of any opposition MPP in Ontario. In doing so, I became the youngest MPP in this Legislature and the first woman to represent Nepean-Carleton at Queen's Park.

*Applause.*

**Ms. MacLeod:** Thank you. I'm proud to hold these two historic titles in a riding steeped with Ontario and Canadian history. Nepean-Carleton is a riding that embraces the Rideau River in the city of Ottawa. From the old Goulbourn township to the small village of North Gower, this riding has been strongly represented since Confederation by the likes of Sir John A. Macdonald, George Drew, Walter Baker and Bill Tupper. In recent times, two of my dear friends, John Baird and Pierre Poilievre have been sent to Queen's Park and Parliament Hill as the two youngest members in their respective chambers during their rookie elections. Many will know that the former member of provincial Parliament for Nepean-Carleton is now the Ottawa West-Nepean federal member of Parliament. He is doing very well as the Treasury Board President in Stephen Harper's federal Conservative government and we're very proud of him on this side.

By sending these strong advocates to places of government, the people of Nepean-Carleton have been able to count on their views being known to governments of the day. My commitment to the people of Nepean-Carleton is that every day I am at Queen's Park their views will be known on the floor of this Legislature.

The people of Nepean-Carleton are self-reliant. They believe in strong values and they believe in strong families and safer streets. They work hard for their money and they expect value for their money. The people of Nepean-Carleton are people like Helen Byers, Bill Donaldson, Pam Richardson, Louise Clarke and Georgie Tupper. They're people like Jim and Norma Noonan, Thom Bennett, Donna and Walter Foster, Liz Mac-



Kinnon and Vernon and Helen Foster. They're people like Brian Nelson, Lloyd Cowan, Ian Graham, Brian Cummings, Douglas Collins and D. Aubrey Moodie. They are people who value family and the community they live in. They are dedicated to making Nepean-Carleton the best place to live, work and play in all Ontario.

D. Aubrey Moodie founded what is Nepean and he did it based on family values that were learned on the farm and in the rural communities that surrounded Ottawa, values that we can truly be thankful for today. Self-reliance, hard work and honesty—the archetypical virtues of humanity that when applied to governance made governance work. That spirit still lives today in my community of Nepean-Carleton, where families still work hard for their community and for each other.

In this recent budget, the people of Nepean-Carleton were given an opportunity to judge the McGuinty government and its priorities against their values, and they resoundingly rejected this government, its priorities and its ever-convenient “buy election” budget. Nowhere in the budget were self-reliance, strong families or safer streets valued. In fact, Nepean-Carleton and the city of Ottawa weren't valued at all. Instead, we saw a budget for the GTA where \$244 million was taken from our farmers, out of the agriculture budget; \$82 million was taken from children and youth; and there was no new infrastructure funding announced to my city of Ottawa.

The McGuinty government did little to offer the people of Nepean-Carleton strong leadership. The McGuinty government did nothing to offer the farmers in my community, whether they are from Osgoode, Richmond or Metcalfe, solutions to the crises on the family farm. Farmers were all but forgotten in this budget.

The McGuinty government did nothing to offer young families like mine who live in Stittsville, Greely, Manotick and Barrhaven a better way to make ends meet. Instead, families like mine are paying approximately \$2,000 more a year since this government took office.

The McGuinty government did nothing to offer patients reduced wait times. In fact, just today the Premier confirmed that wait times are on the rise. He did this when the PC health critic, Elizabeth Witmer, questioned him on increased wait times in parts of Ontario.

I can only conclude as a new member of provincial Parliament that this is the “pay more, get less” budget. Nepean-Carleton constituents are paying more in taxes, fees and services, but they are getting far less from their government. My people had a choice between a McGuinty government that cuts and slashes the agriculture budget or the Progressive Conservative Party that defends the family farm, and they chose the Progressive Conservative Party, the party of rural Ontario.

The families of Nepean-Carleton had a choice between the fiscal irresponsibility of this Liberal government or a Progressive Conservative Party of Ontario that demands balanced budgets and scrapping an unaccountable tax on families. On March 30 they chose fiscal accountability and sent a Progressive Conservative

to Queen's Park because families like mine need a break. They need to make sure that that medical tax is not in their pocket because it's going to anything and everything but health care in this province.

Seniors in Nepean-Carleton had a choice between a McGuinty government that creates more bureaucracy—not more doctors, not more nurses and not reduced waiting times—with its local health integration network or the Progressive Conservative Party, the party that wants to explore new options in health care so we can put patients and seniors—not more red tape—first.

The budget lost credibility on day one with the everyday hard-working Ontarian who is struggling to pay the bills. When a government claims a deficit but has a surplus and yet continues to tax families, just as this government does, people lose faith in their representatives. They lose faith in their institutions.

This budget was so wrapped up in government spin that it did nothing for the dignity of government. All this budget has done is to add skepticism in the mind of the public, and skepticism is on the rise with this government. So far this government has broken 50 promises. Imagine our surprise on this side of the chamber when in the 2006 budget a whopping 43 new promises were made. Instead of keeping its promise to balance the budget or to fulfill its commitment not to raise taxes, the McGuinty government chose to embark on a major year-end spending spree with their \$3-billion surplus or, as I like to call it, our tax dollars.

#### 1910

When a government spends itself purposely into deficit when it should be in the black and continues to tax Ontarians, the people of Nepean-Carleton are justifiably concerned. When a government takes a \$2.4-billion tax hike in an illegitimate McGuinty health tax—a tax, mind you, on hard-working families—and then the government claims to provide better health care yet has spent millions of that health tax outside the health sector, you will understand that families are understandably upset. When a government has the audacity to call its leader the education Premier while college professors are on strike and thousands of students are fretting over a lost school year, it is more than reasonable for parents, students and college professors to demand that their government take some leadership on a crisis that you'll remember only came to a head as election day drew near. These are the very sorts of issues that condemned the scandal-ridden federal Liberal Party out of office and into defeat.

Governments must govern and they must act for the good of all people. They must act for all of the people that they represent, not just those seats that they hold in the GTA. They must act for all of Ontario, including eastern Ontario, and specifically the city of Ottawa, where the Premier's own riding is adjacent to mine, Nepean-Carleton. Whether you are a farmer in Nepean-Carleton or live in the GTA or northern Ontario, you should be able to expect that the government will work for you and will treat you equally and with respect, but clearly it is not the case under this current government.



This budget falls down as but another failure of this province's broken and rudderless government that has never been able to find its way out of a hole that it dug for itself in public policy during a bitter-fought election campaign in 2003. So desperate was this government that its front benches would do anything to win. It promised the moon, it promised the stars—a series of promises that it could never keep; a series of promises that I'm sure they never intended to keep.

They've had three budgets, and every one has had a different priority. The first budget was about health. Despite the largest personal tax increase in Ontario, they failed to keep their promise to reduce wait times. Their second budget was about education, and they have massively increased funding to school boards and teacher contracts, but school boards are still facing deficits, and some are even being audited. As I have mentioned, the Liberals still put college students out on the streets rather than in the classrooms.

This budget is supposedly about infrastructure—not in the city of Ottawa, mind you—but the big infrastructure spending that they've announced is coming out of last year's budget. I just told you that it was the education budget. You might be confused. But this is a government that has lost its way or that has never found its way, and this budget and its two predecessor budgets are simple reflections of its makers' lack of vision and lack of leadership.

My party opposes this budget bill, as we have with every other budget bill since the Liberals took office, because we oppose the fiscal mismanagement and tax hikes of this McGuinty government. The people in Nepean–Carleton have spoken loudly too. They oppose this budget bill, and on March 30, they sent a message that they oppose this government.

**The Acting Speaker:** Questions and comments?

**Mr. Kormos:** I'm so pleased to have been in the chamber for Ms. MacLeod's, the member for Nepean–Carleton's maiden speech or, perhaps more appropriately, her inaugural speech. I'll put this on the record: By the time Ms. MacLeod was finished with that speech, the government members didn't know whether they'd been drilled, punched or bored. She put it to them as straightly as anybody could. I anticipate that Ms. MacLeod will be a vocal and active and effective member who indeed will show up when the House is sitting, who wouldn't miss an opportunity to participate in committee or in the day-to-day routine of the chamber or the work that she may do in her riding or on behalf of her party or the Legislature in the broader sense across the province. So I congratulate her on her effective premiere here at Queen's Park. I admire the enthusiasm with which she pursues the Liberal jugular. I consider that something that's desirable in what is a very adversarial system here. While she went for the throat, she was nonetheless articulate and, I'd say, downright polite. She didn't use a single cuss word.

*Laughter.*

**Mr. Kormos:** Well, she didn't. I was waiting for one because I figured she was warming up to one, but not a single cuss word, not a single disparaging remark, not a single ad hominem comment. Rare—the absence of cuss words, I mean, here in this Legislature. I'm pleased to have been part of her audience.

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** It's my pleasure to welcome, once again, the new member from Nepean–Carleton.

I would like to use this opportunity to turn your attention to something that you can actually work for your constituents on. I refer specifically to the moving forward on the early learning and child care agreement, which was struck with the government of Canada last year on behalf of families and children all across this country. Let me suggest to you that if you look at our budget this year, you will find that we have worked to sustain the demand that has been expressed by families in Ontario who say they need high-quality child care. But instead of being able to commit to an increase of 25,000 new spaces for Ontario, including more than 1,000 for the Ottawa area, that agreement has been cut short, effective March 2007. Let me suggest to you that one of your quests should be to work with us, to work with this side of the House because, surprisingly, your colleagues have been silent on this over the past several months. It is really quite surprising to me that you would not have the interest of your constituents at heart, as you have said. Here is an opportunity for you to demonstrate that commitment. You are a mother; you should understand. You are here working. Many mothers—in fact, more than 70% of mothers with kids under the age of six have said to us that they require high-quality licensed child care. Please don't forget those mothers in your riding as you work with us to look after their interests.

**Mr. Robert W. Runciman (Leeds–Grenville):** It's regrettable that the minister chose the intervention she chose this evening. It's truly unfortunate with the member's maiden speech, but it is typical of this government and increasingly typical of this particular minister.

I want to compliment the member from Nepean–Carleton on her maiden speech here this evening. I recall back in my day, back in 1981, first elected, delivering my maiden speech, and what an important occasion it was for me for the opportunity to thank my predecessor at the time, Jim Auld, and all of the people who made it possible for me to become a member of this chamber. Ms. MacLeod talked about John Baird. She has a big pair of shoes to fill. John was, as we all know, an outstanding, outspoken advocate on behalf of eastern Ontario on so many issues of concern, especially the issues related to the well-being of children in this province.

I want to say that Mr. Sterling, Mr. Yakabuski and myself certainly welcome this addition to the ranks in eastern Ontario because we need more spokespersons making the case for eastern Ontario, because this government, as the member pointed out quite clearly, is ignoring eastern Ontario and ignoring rural Ontario. I



wonder why. We talk about the Premier, who supposedly represents—

*Interjections.*

**The Acting Speaker:** Take your seat. Relax.

I would ask the government members to come to order and allow the member for Leeds–Grenville to finish his two-minute response.

The member for Leeds–Grenville.

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**Mr. Runciman:** I think I lost at least 10 or 12 seconds there.

The fact is that Premier McGuinty supposedly represents an eastern Ontario riding, but we know that he lives in a \$1-million-plus mansion in Forest Hill paid for by the Liberal Party and the taxpayers of Ontario. We know that he's getting his hair cut for \$75 a shot. How many people in eastern Ontario get their hair cut? When he has to go to Hamilton, he avoids gridlock by flying in a taxpayer-paid government plane. He's lost touch with the people of Ontario. Ms. MacLeod is going to stand up for the people of eastern Ontario—something the Premier is not doing.

**Mr. Bisson:** I want to congratulate the member from Nepean–Carleton because I've got to say that was one of the better maiden speeches I've heard in this House in a long time. She got up on her feet, said it the way it is and talked about what's important to her and the people of her riding. I think she's going to make a wonderful addition to this House. We may not be of the same party, but I do have respect for people who can hold their own in here. For the minister to suggest to the honourable member from Nepean–Carleton, "You've got to trust us and work with us"—ain't they the guys who tried to work with you in the last election? They were onside, right; they wanted to get you elected? My God. One of these days—I know you understand; I'm just wondering if they understand.

I just say to my good friend from Nepean–Carleton, I lost a bit of a friend and colleague, but I see maybe we'll have a renewed friendship in some way in that part of the province, because Mr. Baird and I go back. We were elected at the same time. Mr. Baird and I got to meet Polkaroo at the same time, and one of these days he'll tell you that story.

But to the speech; that's the most important part, and that is the question of what the government chooses to do with the budget. I know that the member from Nepean–Carleton probably sees it a little bit differently than I, but I think we both agree that this government made some choices in this budget that some of us can live with, but there are a whole bunch of choices they didn't make that some people can't live without, and that's really the problem I have with this particular budget.

The government promised, for example, to restore services for children with autism over age six. We know that's an issue that the Premier—and in opposition, Mr. McGuinty—spoke passionately about. I remember him standing in opposition to the Ernie Eves and Mike Harris governments successively, saying how bad it was and

how, if he was elected, he was going to restore autistic services to those children over age six. Did they choose to do that in this budget? Not at all. They chose not to. I think this budget speaks volumes to the things that they didn't do for the most vulnerable in our society.

**The Acting Speaker:** The member from Nepean–Carleton has two minutes to reply.

**Ms. MacLeod:** It's my pleasure to respond to the four members. To the member for Niagara Centre, thank you very much for your kind words. I look forward to working with you, and hopefully I'll be as vocal as you in holding this government to account.

To the Minister of Children and Youth Services, as somebody who represented a riding and won by 57.6% of the vote based on this issue alone, I think I am standing up for my residents. Also, during a federal election in which the federal member for Nepean–Carleton actually campaigned on this issue and won by the highest amount of votes of any political party in Ontario, I think I'm standing up for the residents of Nepean–Carleton just fine on this issue. As the only member in this chamber currently speaking with a child under the age of five, I think I know what I'm talking about.

To the member from Leeds–Grenville, I want to applaud him. You'll notice tonight that I, along with my colleagues from Lanark–Carleton and Leeds–Grenville, are the only three members in here from eastern Ontario, the Premier's own area, and I appreciate the work that the two of you, along with John Baird, the former MPP, played in getting the 416 all the way to Ottawa, because that highway is important. The veterans highway is important, and we appreciate that.

Now to my good friend my colleague from Timmins–James Bay, I appreciate your kind words. I picked up on his lament on the broken promise on autism. I want him to know that two days after I was elected by the good people in Nepean–Carleton, I walked with my NDP opponent, Laurel Gibbons, who was a fantastic candidate, and stood outside the Premier's constituency office, reminding the Premier about his broken promise on autism. I came here and, on my second day on the job at Queen's Park, I delivered that petition from Laurel Gibbons, my NDP opponent, because she is an excellent autistic children's advocate.

*Interjections.*

**The Acting Speaker:** Will the House come to order, please. Further debate?

**Mr. Kormos:** I have but 20 minutes, and I regret that. I want to make it quite clear that there's very little in here in terms of budget that benefits folks; there's nothing here that benefits folks in the province of Ontario. I tell you, the most repugnant, objectionable part of this bill is the \$1.2 billion of accelerated tax cuts for banks and insurance companies, both of whom have been doing extremely well and have little to worry about in terms of their incredible and ever-growing revenues.

Choices? Yes, it is about choices. There's a \$3-billion surplus in terms of new, unanticipated revenues. Did the government spend them, as Mr. Bisson from Timmins—



James Bay said, on autism treatment for kids? No. Has the government spent any of that money on keeping its promise to repeal the clawback of child benefits? No. The government invested a chunk of it in a pre-election slush fund to further its own political ends and then invested another \$1.2 billion in tax breaks for banks and insurance companies. That is truly objectionable.

But mark my words, there will not be a single government member voting against this bill. It's a budget bill; I understand that. A vote against a budget bill, should the bill be defeated, is a non-confidence vote. Should Liberal members vote against this bill in good conscience, they'll find themselves in an election campaign. Look, I understand why government members vote for budget bills even if they may not agree with them. But what causes me some of the greatest concern is some of the stuff that's buried deep in this budget bill and has no business being in a budget bill. I say this in a very non-partisan way.

One of the most glaring ones is schedule H of this bill, the amendment to the Municipal Act. At first blush, I suppose many would say it's rather innocuous in and of itself, but what it will do, as of the municipal elections of late fall of this year, 2006, is extend terms for city councils and school boards to four years from three. I think that in and of itself is a sufficiently serious policy matter that it warrants consideration, not only in this legislative chamber but also in committee as a stand-alone matter—I really do.

First, I want to note that there's Toronto and I suppose Ottawa and maybe London, and then there's the rest of Ontario. Most councils aren't full-time councils. I say to you that smaller and small-town councils, where councillors are part-time councillors, have a different set of needs and in many respects a different role than big-city councillors who have staff, who have offices and who are paid as full-time councillors.

1930

I want to bring to your attention a particular problem that has reared its head—I'll be quite candid—in one of the communities that form the riding of Niagara Centre. It very much has to do with contemplation of extending a three-year council term to a four-year council term. You see, the problem is that the manner in which the government has chosen to slide schedule H, the amendment to the Municipal Act, into this Bill 81, this budget bill, is going to make it impossible to move amendments which will affect, for instance, section 259 of the Municipal Act.

Let me tell you what the problem is down where I come from. It's about attendance requirements. We don't have attendance requirements here at Queen's Park. The standing orders don't provide for them. That's been made shockingly obvious to us over the last couple of days.

*Laughter.*

**Mr. Kormos:** Well, wait a minute; be careful. The federal Parliament has attendance requirements. Take a look at the standing orders like I did—and I know you're a student of this kind of stuff, Speaker. You take a look at

the standing orders and you see standing order 15: "Every member, being cognizant of the provisions of the Parliament of Canada Act, is bound to attend the sittings of the House, unless otherwise occupied with parliamentary activities and functions or on public or official business"—bound.

I'm going to carry on with that in a few minutes, because that has very much to do, as you're well aware, with section 259 of the Municipal Act. I know you are, Speaker, so you know that I don't digress at all from a discussion of schedule H, slid into this bill, hidden away deep in this bill, with some pretty significant impacts.

You know, it takes me back. You remember one Senator Andy Thompson? Remember him? He had the whistle blown on him around 1996. He was a senator who would comply—because you see, the Senate had attendance requirements too. He had to show up once every two years or so. Senator Thompson was living in Mexico, and he apparently would show up every two years in the Senate in—see, I don't believe in Senate reform. Abolish the damned thing and let's be rid of it and have it over and done with. It's remarkable. It's remarkable that we in this enlightened, democratic country would allow an unelected group of people to have any role in the legislative process. Don't reform the darned thing; abolish it. Pay them off, give them their pensions, throw in an extra 50 bucks as a little departure gift and send all those senators home, and convert the chamber into office space for backbenchers from all five parties.

The interesting thing about Senator Andy Thompson is that he was the former Liberal leader of Ontario, and it was ironic—I'm talking about attendance requirements under the Municipal Act. What is ironic is that he represented the riding of Dovercourt, which, as you know, is one of the antecedent ridings of Davenport. I don't know what it is about the water in Dovercourt, now known as Davenport. I don't know what it is about the water in that riding, but Senator Andy Thompson would only show up every two years. Finally, he stopped showing up at all. The federal Senate suspended him for contempt and he eventually resigned, bragging that his pension was going to be as much as his net pay was as a senator. So it was, "Up yours. You think you did me any harm? Don't do me any favours."

So we've got a problem down in one of the communities that form part of Niagara Centre, and it's just the reality. It's caused some great public concern as well as some great angst on the council itself. There is one councillor—and don't forget, down where I come from those municipalities are part-time councils. I don't deny part-time councillors the modest stipend they get. Most of them, the vast majority of them, work real hard.

There's a councillor down there who's been showing up once every three months—that's four times a year—so as to comply with the attendance requirements of section 259 of the Municipal Act. Look, I pass no judgment on that. The observation that has been made, though, is that if he can do that for three years in a three-year term,



then somebody could do that for four years in a four-year term. I agree that it shouldn't be the force of law that compels people to attend at their seat in an elected body, whether it's city council, whether it's provincial Parliament, federal Parliament, regional councils or the Senate. It should be an overriding thing.

This is what the Kingston Whig-Standard had to say about Senator Thompson: "His measly 5% attendance rate since the early 1980s indicated a lack of respect for the position and even less regard for the Canadian public who paid his substantial salary. Any self-respecting person would have chosen to quit rather than leech off the public the way Thompson did."

The federal Parliament has attendance records. I gave you standing order 15. Unfortunately, just like the Senate, because the Senate adopted some new attendance records but provided a great deal of leeway, in the federal Parliament it's basically self-reporting, and the penalty, Parliament of Canada Act—I'm quoting from that wonderful read, House of Commons Procedure and Practice, Marleau and Montpetit. I know you've spent a great deal of time with it.

Page 188: "The Parliament of Canada Act provides for deductions for non-attendance from the members' sessional allowance. At the end of each month and at the end of each session, each member is required to provide the Clerk of the House with a statement of the number of days of attendance during the month or session, as the case may be, for which they are entitled to receive their sessional and expense allowances. For the purposes of this declaration, those days on which a member was absent due to illness, a military commitment, the adjournment of the House or because the member was on 'public or official business'—that's the Mack truck loophole—"are considered days of attendance. Since there is no regulatory mechanism to monitor members' attendance, calculations of members' allowances are made on the basis of their statements and deductions are made only when absences exceed 21 sitting days."

Well, that's a pretty broad standard. I could be proven wrong, and I know there are folks here who would love to do it—they'd jump at the chance—but I dare say I doubt if there's a single member of the federal Parliament who hasn't, once they've calculated their 21 days of just-because-they-didn't-want-to-be-there days, and then of course their days on official or public duty.

It's regrettable that the real test was spoken of in the context of Senator Thompson, and that was Senator Thompson's "lack of respect for the position and even less regard for the Canadian public who paid his substantial salary. Any self-respecting person would have chosen to quit rather than leech off the public the way Thompson did."

So we've got a problem down in Niagara Centre with a part-time city councillor. You see, this is where full-time and part-time are different. Part-time city councillors need their day jobs unless they're retired, they're independently wealthy or they have a source of income,

perhaps business people—some business people. Business people work hard too.

I'm concerned about the potential for abuse of the attendance requirements in the existing Municipal Act if the amendment proposed by the government in schedule H isn't accompanied by a similar amendment around the attendance requirements.

#### 1940

I want to tell you, I expressed gratitude to research librarian Stefan Jürgens, who compiled for me similar sections of municipal acts from across Canada, including the territories, and if I may go through them just very quickly: Ontario, section 259, three months; Saskatchewan, three months; Prince Edward Island, three months. That means that if you miss council meetings for longer than three months, the seat is declared vacant, but you only have to show up once every three months and you maintain your seat and your salary. No monetary penalties in any of these provisions. Quebec, 90 days, which could conceivably be one or two days less than three months. Interesting: Alberta, eight weeks, 56 days; Yukon, once again three months; BC, 60 days or four meetings; New Brunswick, four meetings; Manitoba, three consecutive regular meetings. They don't count special meetings that might be called outside of the regular timing. Nova Scotia, three consecutive meetings.

The most interesting provision, however, was that of the Northwest Territories, and I raise this because if folks here are going to adopt a four-year term for city councils, we'd better reflect on the need to address amendments to section 259 of the existing Municipal Act. In the Northwest Territories, the territorial statute requires a council to pass a bylaw regarding attendance. That's specifically section 29(c) of their Cities, Towns and Villages Act from the Northwest Territories. It then further indicates section 37, "Council may, by bylaw, provide that a council member who is absent from regular meetings of council, without consent of council, more than a certain number of times specified in the bylaw, is deemed to have resigned."

I think that's an interesting power to give to municipalities to accompany the prospect of an extended term from three years to four years, because I put to you, even in every one of the jurisdictions that I've spoken of, even in places like Manitoba and Nova Scotia, which had some of the most rigid standards—three consecutive meetings—council has the power to, by resolution, exclude any member from that provision. Obviously, if somebody's had an illness in the family, if somebody's had a crisis in their own life—there could be any number of good reasons. But councils and municipalities need the ability to protect themselves from the abuse that is oh so rare but, in the view of some, has been displayed.

I think we should have the power to protect the public against that type of abuse, but of course we can only rely upon the respect for the position and the regard for the Canadian public, who pay our salaries, and the fact that any self-respecting person would choose to quit rather than leech off the public the way, for instance, Senator



Thompson did back in 1980 and 1985 and 1990 and 1996. Of course, I don't make any personal comment about any individual member's absence from this assembly.

I see that folks could well say, "Well, Kormos, why don't you just bring an amendment to schedule H when the bill goes to committee?"—because New Democrats are going to insist that this bill go to committee. No two ways about it, this bill is going to committee. I'll sit in this House myself on second reading and make sure that this bill goes to committee, because I will deny it third reading. You know I can do that and force it into committee. Some may say, "Well, why don't you move an amendment?" Well, you know full well that I can't move an amendment amending section 259 when schedule H is so very narrow. It doesn't open up the Municipal Act; it only addresses subsection 4(1). So you see, an amendment that's in order can only be an amendment to the amendment being proposed by the government to 4(1).

So don't play that game. It's a very serious matter. I think we have some interesting references from other provinces in terms of their standards, including the incredibly creative one from the Northwest Territories, which says that councils "shall" create a bylaw regarding attendance and that that bylaw "may" be one which vacates a seat. Really, isn't that the most flexible, the least arbitrary and one where a council can understand its own community? The difference between full-time councillors and part-time councillors is that I understand that part-time councillors may work shift work in those parts of Ontario where the factories haven't been shut down over the course of the last three years. Lord knows, we're going to see more being shut down if electricity prices continue to climb through the roof. But there may well be shift work obligations. There may be travel obligations.

I think councils may well be in the best position to determine what their attendance standards should be and what the consequences should be for non-attendance, because it will be clear; it will be in a bylaw. I would think any reasonable bylaw would have a provision whereby a person could seek approval of council to miss meetings above and beyond the bylaw requirement.

I raise this as a very real concern that has been expressed from down where I come from. I think we would be doing a disservice, especially in the smaller-town part-time councils, if we didn't ensure consideration of 259 along with schedule H's consideration of section 4.

**The Acting Speaker:** Questions and comments?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I'm happy to have the opportunity to speak to the remarks made by the previous member because he has focused on an unusual part of the bill and probably one that—well, we may spend a lot of time on this evening. But I'm happy that I have the opportunity to comment briefly on it tonight.

I want to say to the honourable member that before I was in this place I was on a school board, and our school board had a bylaw with respect to the attendance of trustees. If trustees had missed three regular board meetings, they were asked to resign their seat as a school board trustee, and then the board would appoint another individual. I offer this just as a point of interest for me personally, and I would be very interested to see how this discussion will unfold as the bill goes forward.

I think that it has some merit and it would be an interesting conversation. When we talk about meetings, are we talking about official council meetings or committee meetings of council? What would be incorporated in that? Would there be exceptions if someone fell ill and had to have a heart transplant or another serious procedure that would make them unable to participate in council proceedings, through no fault of their own? They continue to be good representatives, their intention to represent the interests of their community is still intact, but they would have to perhaps write and ask for an extension, or at least the council would have the ability to consider an exception. So I think that's an interesting point that has been raised by the honourable member. Oh, I guess that's my two minutes.

**Mr. Runciman:** I want to compliment the member from Niagara Centre for his contribution to this debate. I share his concern about the change in this legislation related to municipal council terms. I have to say, all the feedback I've had in my own riding from municipal councils has been non-supportive of the initiative.

I'm not sure how much effort was made to consult with municipal authorities. I doubt very little, if any. I'm not sure how much consultation occurred within the Liberal caucus. My suspicion is virtually nothing. Why this happened—hopefully at some point the minister will be able to adequately explain the rationale behind it.

I have no problem personally with the idea of attendance records in this place or whether it's the municipal or federal level or any agency, board or commission that is utilizing tax dollars. I think it's worthwhile. But I do have a problem with us in this place diminishing our worth. I've seen it happen on so many occasions over so many years, whether it's committee travel that has been virtually eliminated because we're so sensitive to any public criticism—we seem to draw the media spotlight more than other levels of government. Our salaries—it's been pointed out now that a backbencher at the federal level now makes as much as the Premier of the province of Ontario. We have the same ridings with a significantly heavier workload than federal members do. I think that's the reality.

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We've done away with pensions at the provincial level. How many people in the province—

**Hon. Mrs. Dombrowsky:** Who did that?

**Mr. Runciman:** You voted for it. Everyone in this House voted for it. I'm talking about us diminishing our own worth.

**Hon. Mrs. Dombrowsky:** Not pensions, Bob.



**Mr. Runciman:** Yes, we did. You're wrong. You are wrong, as you frequently are. Everybody in this House voted for it.

Severances—we can go on and on. I'm trying to make a case for us damaging ourselves on such a regular basis, and then I get an interjection like that which is not based in fact.

I think those are the considerations we have to weigh in the days ahead. But certainly in terms of attendance records, I'm supportive and I think it's a fair way to go.

**Mr. Bisson:** As always, the member from Niagara Centre raises points that are, I think, to the point, to put it simply, and he does so quite well. Like me, he believes the government made some choices in this budget. Quite frankly, it was all about choices, choices about who they wanted to stand up for. The member pointed out that they stood up for banks. They thought it was good enough for banks to get a tax break, so some of the richest organizations in this province can get yet another tax break while people who are on social assistance, who would benefit by being able to keep the clawback that's taken from their baby bonus cheques—no choices there to help them.

The whole question of what we do with autistic children is an issue that keeps on coming back. Yet again last week I had a constituent of mine contact my office. Their son is now eight years old and doesn't get the type of intensive therapy he needs to deal with his autism. The parents are at their wits' end. The school board is not able to provide the type of services that he wants. He's not able to get, because of this decision that was made, the type of services offered to children under age six. This particular parent came in and told me, "Listen. I don't care what the politics are. The government promised this, so why don't they do it?" When I said, "Governments make choices. In this case, they made the bad choice," this particular parent didn't appreciate either the choice or, quite frankly, the advice, in the sense that she had to try to deal with it the best she could because this government didn't seem to want to overturn that particular decision. It's hard when you look at a parent who's in that kind of situation, that kind of crisis, and you know that the government has made its mind up.

My colleague Shelley Martel has raised this in the House hundreds of times. We've brought the parents in, we've brought the kids in, we've done everything to try to get this government to move. The parents have taken them to court and this government fights them in court. I say this government made some choices—to support banks but not autistic kids—that are beyond the pale.

**Mr. Wayne Arthurs (Pickering-Ajax-Uxbridge):** I appreciate the opportunity to add just a couple of comments in approximately two minutes to the member from Niagara Centre. Much of his time was obviously spent focusing on an element of the budget measures bill that deals with municipalities, so I want to talk in that context, about municipalities and why I believe they've been as receptive as they have been to this budget.

I want to comment on things like the extension of the gas tax. In October of this year it will be at two cents per litre for public transit in municipalities throughout Ontario that have transit systems and those that access transit systems in some other fashion. It's being extended to include not only capital costs but the capacity to incorporate it into their operating costs to best use those funds. I think municipalities are pleased that over the mandate to this point we've achieved that goal of two cents per litre of gas for that purpose.

Municipalities are clearly pleased that there's some \$400 million being spent in ridings and communities throughout the province of Ontario, in each and every one of them, to allow them to fund roads and bridges, to rebuild some of the physical infrastructure that's been sorely neglected. The money is much needed and will be extremely well used. That's so that every municipality—and practically every constituent—benefits from the use of those roads and bridges, whether it's for their personal use or for business purposes.

The family health teams are being funded through this process. The additional 50 will bring it to the full 150 we had planned on. I'm pleased that the first one in Durham will be on the west side of Durham region, in my riding. That's the first family health team for a population of half a million. So it's not as though there a lot of them, but nonetheless it's fulfilling that obligation on the health front. Municipalities that need to attract doctors to supply their constituents with good health care are extremely pleased when they see 150 health teams now approved and rolling out in the process. There is any number of other elements where municipalities are extremely pleased with this budget, as are their constituents.

**The Acting Speaker:** The member for Niagara Centre has two minutes to respond.

**Mr. Kormos:** I find it irresistible to point out once again that the highlight of this budget is a \$1.2-billion tax break—an accelerated tax break—for banks and insurance companies. I just shudder at the incredible coziness between this government and those big banks, with their high-priced CEOs, and the insurance companies—highway robbers at best. I just shudder at the coziness between this government and those financial institutions, which have enjoyed record profits, that would allow them to be the beneficiaries of \$1.2 billion of that \$3 billion of newly found revenue, when kids with autism get left behind and when those families, those moms, mostly single moms, the lowest-income people in this province, are still having their child benefit clawed back by a government led by Dalton McGuinty, who promised, swore—Scout's honour—that he was going to roll back the clawback.

I want to get back to schedule H—and I appreciate the Minister of Agriculture, Food and Rural Affairs. Of course, if you take a look at the respective provincial statutes that are referred to, they take into consideration regular meetings and the need for exceptions and exemptions for sickness and bona fide absences. That's why I made reference to the federal parliamentary rules, which



do the same. But I really believe that we should be giving municipalities the power, the obligation, as does the Northwest Territories, to create bylaw standards and include the power to vacate a seat should there be a violation of that bylaw.

**The Acting Speaker:** Further debate?

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** It's a pleasure to have an opportunity to add a few words to the debate this evening on Bill 81, the Budget Measures—

*Applause.*

**Mr. Berardinetti:** Thank you for the applause, because I do have some people watching at home, including my mother, my father and my lovely wife, whom I say hello to.

I just wanted to start off by saying—

*Interjection.*

**Mr. Berardinetti:** Well, I have a few things to say, and I will get to my wife in a second as well.

I wanted to say first of all that this budget in front of us today is a budget for the people of Ontario; it's a budget for the voters of Ontario. I just want to quote something I have in front of me that comes from a former United States President. He spoke on the issue of budgets and budgeting. He said, "Let us never forget that government is ourselves and not an alien power over us. The ultimate rulers of our democracy are not a President and senators and congressmen and government officials, but the voters of this country."

Very much in that vein, I want to say tonight that the voters of this province are the ones who ultimately make the decisions. They decide who to elect and what government to elect, which in turn decides what policies to implement that best suit the people of that particular province or that government. The budget in front of us today, which I'll talk more about in a few minutes, does address the issues of the people of this province.

I'm pleased to introduce today in the east gallery a friend of mine whom I went to high school with. His name is Ivan Sutton, and he's visiting from Calgary, Alberta. Mr. Sutton used to live in Ontario, and has moved out to Calgary, Alberta. If what I'm saying is incorrect, I would ask Mr. Sutton to wave his hand or point out otherwise, but I know we have spoken about this. He's from Alberta, and everyone seems to think that Alberta has everything going well and Mr. Klein is handing out big cheques to everybody and Ontario is in the pits. But do you know what? It's not true.

2000

Mr. Sutton drove from Calgary, Alberta, all the way to Toronto, all the way to Scarborough, Ontario. He said to me that when he got into Ontario, the roads were really good. In fact, in Toronto, the roads were really good. He said to me that he can move around in Toronto in his vehicle without the gridlock that he experiences in Calgary, Alberta. Who would think that Calgary, Alberta, has gridlock, that Calgary, Alberta doesn't have a proper subway system in place and that Calgary, Alberta, doesn't have a proper transit system in place? Here in

Ontario, and in Toronto especially, we have a transit system and we have a road system that is good but that needs improvement. Our government, through the finance minister, in the budget that was introduced just recently, decided to invest a large amount of money, \$1.2 billion, in Move Ontario, a program to improve and put investments into public transit, municipal roads and bridges, to help move people and goods faster so they can create jobs and build a stronger economy. Our government is saying that we know we have a good system, but we can make it better, and by making that system better people will invest and stay in Ontario and will grow and raise their businesses in Ontario.

In this budget, \$1.9 billion is put in for additional health care funding for 2006-07, for more doctors and nurses, shorter waiting times, more medical school spaces, and initiatives to promote good health and prevent illness. In regard to this \$1.9-billion investment, it's real and it's having an effect, it's having an impact. On Easter Sunday, I was with my family and we had Easter dinner. One of my family members mentioned, "You know, in the hospital it's easier now to get knee surgery done. It's easier to get hip surgery done. The wait lines are not as long as they used to be." This is a direct effect of what our government has done.

I have a brother who has young children in our school system—and I've noticed the class sizes. He said to me, "You know, my children, two of my daughters, are in schools now and in classrooms where the class is so small that the teacher actually spends more time with that student, with that child." That's a real significant change that came about in October 2003 when the people of Ontario voted and elected a Liberal government under the leadership of Dalton McGuinty and our then Education Minister, Gerard Kennedy, now followed by Sandra Pupatello. They are working to make our education system better.

By golly, these are the things that are important to the people of Ontario, because when all is said and done, if you don't have a good education system, if you don't have a good health system, if you don't have a good road system, then you don't have a good government and you don't have a good civilization. You don't have a good way of running a province.

My father is retired—75 years old, God bless him. He's at home watching tonight. He has said to me that he has to use a doctor on a regular basis. Five, six, seven years ago he had difficulty finding a doctor when his former doctor passed on. He had difficulty getting into the health care system and getting the kind of service he needs. He doesn't have that problem now. He's able to find a doctor and get the kind of help he needs. I don't mean to leave out my mother. She, too, is in the same situation, where before it took longer to get the help she needed from her health care system. Now she has access.

It's not perfect, but we're working towards it. It's work in progress. It's something that this government is committed to. As has been stated several times, this budget is only part of a larger plan. This 2006 budget is



the third part of a four-year plan to strengthen Ontario's economic advantage by strengthening our people. That's the key word.

I remember when President Clinton ran for office and people said to him, and it's now well quoted and well known, "It's the economy, stupid." I think the key word today, if we were to take that same phraseology, is, "It's the people, stupid." That's our only investment, when all is said and done, because if we have a healthy population, if we have people in our province who are healthy and well educated, have a good transportation system and are able to get to their jobs, have proper day care and a good system of being able to function as people in Ontario, then we have a healthy province. Why else would Toyota decide to bring a major operation, a large plant, into this province? Why would other industries decide to invest and come into this province? They know that available to them here in Ontario are a health care system and an education system second to none in the world.

Speaking of education, and it's an issue of education—and I don't mean to be negative at all—there was a devastation left by the Mike Harris government. I say this with the greatest of respect to those members who are here and work hard for the Conservative Party. But when Mike Harris raised tuition fees to the extent that he did, it affected a lot of people, a lot of students. My wife was one of them at the time, in the early years of Mike Harris. Those student loans are impacting us to this day.

This government, on the other hand, through our Minister of Colleges and Universities has invested millions and millions of dollars in an education program to help administer a better-financed education system for people who are in university, in college, in post-secondary education, trying to get proper training. That's important. That makes a difference. That makes the difference sometimes in whether or not you decide to go to school, whether or not to continue with a post-secondary education or to stop your education altogether and just go out and get a job.

We have made certain decisions. We're not going to make everybody happy. We all know that. Back in Alberta, Ralph Klein has handed out cheques. Getting back to my friend Ivan Sutton over there, he got a cheque for 400 bucks or so from Mr. Klein, and he will probably get another one next year. But we got our cheques as well here. We got \$200 from Mike Harris, all of us, and I don't think that really was a high priority when it comes to running our government.

People can say all sorts of things about our system, decisions we have made, our decision to go forward in a certain direction, but at the end of the day we have decided to focus on the people of Ontario. We've decided to focus on making them live and be nurtured in a healthy environment, not one that is going to become a social welfare state but one that's going to bring out the best in individuals, one that's going to provide opportunities to people. This budget does that. It's not perfect—nothing is. There are always going to be people who are going to

say, "You could have done more," or "You could do more," but we are doing as much as we can and we are making our decisions in places that we think are most important. I'm happy with this budget.

I just wanted to add something briefly about transit as well. I'm going to get a little bit parochial here, representing Scarborough. I remember my days on Scarborough council, when the Toronto Transit Commission didn't have money, unlike today when all sorts of money is being infused into the transit system. When the Conservative government was in power, and even before then, cuts were made to transit. And what happened as a result was that you didn't have the routes on College Street, Dundas Street or Queen Street cut down. It was the routes in the sticks, the ones in the so-called suburbs at the time: McCowan Road, Brimley Road, Neilson and other streets in the outer parts of Scarborough. Mary Anne Chambers, the member from Scarborough East, would know as well that these were the routes that were cut. A person would have to wait an hour to get on a bus. And no one in this day and time is going to do that. Some do, but it's relatively impractical to do so, to wait an hour for a bus. That's why people buy more cars, which leads to more congestion, which ultimately leads to more smog on the roads, which leads to more asthma and more health problems.

What we're trying to say, and what the government is trying to do, is to bring back investment into the transit system, to bring back our buses and to run them regularly, not once an hour on McCowan Road, not once an hour on Danforth Road, not once an hour on Neilson Road, not once an hour on Ellesmere Avenue, but maybe once every 20 minutes for the good people of Scarborough, just like the good people of Welland the member for Niagara Centre likes to speak to and defend.

The people of Scarborough have a right as well to a proper transit system, the right to go on the bus, use the bus and have more of them. What we're doing, even where there are two cents per litre being given to the Toronto Transit Commission, is allowing money to be put not only in the capital structure, but in the operating structure, so that we can hire the right number of bus drivers so that they can go out there and drive the buses, streetcars, rapid transit and subway system that get people to and from their work, their schools, their doctor appointments, their dentist appointments and their other appointments that are so important.

## 2010

These are the decisions that were being made and these are the things that will have a long-term impact. When all is said and done, a person like Ivan Sutton, who left here and decided to go to Alberta, will probably end up back in Ontario, back in Toronto, back doing business here, because he's going to realize—and he's already said this to me—that Toronto is actually a pretty darned good place and Ontario is a pretty darned good province. We can talk all we want about Alberta this and Alberta that, BC this and BC that, and Quebec this and Quebec



that, but when all is said and done, Ontario is the driving engine of this country.

I'm happy today to stand, speak and support this budget, which has so many elements that are so positive, that create so many good things that are being used for things like \$118 million to help at-risk youth and vulnerable adults and families. That's very important to do. You want to help those who are most vulnerable. You want to be able to help your poor. You want to be able to raise your minimum wage. You want to be able to provide those kinds of things to those who are in the most need. Again, we can't do everything for everybody; I don't think any government ever has. But at the end of the day, the feedback that I've gotten from my people in Scarborough whom I've spoken to, and others elsewhere, even as far away as Calgary, Alberta, is that this budget is good for the people of Ontario.

So I'm pleased to rise today to support this budget and to say that as part of the plan to get Ontario back on track, this budget is playing an instrumental role. I thank you for allowing me this opportunity to speak to this particular budget today, and I look forward to hearing questions and comments from my colleagues around here today.

#### **The Acting Speaker:** Questions and comments?

**Mr. Runciman:** I appreciate the opportunity to comment. I found it quite interesting that the member for Scarborough Southwest—I gather it depends on how you interpret his comments, but I would suggest that some might interpret his comments relating to Calgary and Alberta as a slam, as a criticism of the great province of Alberta and the great city of Calgary: talking about the fact that they have gridlock challenges, they don't have a subway and suggesting gridlock is even worse in Calgary than it might be in the city of Toronto. And he made other references to the province of Alberta and Premier Klein.

I think it's unfortunate that we're engaging in that kind of a jurisdictional blame game, but it seems to be so typical of this government. With the new federal government in office less than two weeks, we saw in the House, on a daily basis, ministers and members getting up and slamming the new federal government, attacking them, calling on us as opposition members to call our federal colleagues to get this straightened out or that straightened out.

To me, this is cynical politics, politics at its worst, because what we want to do is find ways to work with the new government, I would think. Whether it's in daycare, whether it's in justice issues or whether it's in infrastructure and the transit system, we don't want to be alienating these people—unless there's some kind of political motivation behind this, and I believe that's the end game here. If you read Warren's Kinsella's recent comments, he wants this divide between the provincial government and the federal Conservative government. He wants an enemy, he wants a bogeyman so that Mr. McGuinty and his friends can fight the federal govern-

ment, and hopefully, that division will get them re-elected. It ain't gonna work.

**Mr. Kormos:** I ideologically disagree with most of what Mr. Berardinetti is ever going to say, but I want to tell you, he has demonstrated himself to be one of the better speakers in his caucus here in this legislative chamber. He's not afraid to defy his whip, who wants to try to shut down backbenchers, and say, "No, I'm paid to come here and speak on behalf of my constituents," and Mr. Berardinetti does. He says to the whip, "Go pound salt. You can put it where the moon don't shine. You can't tell me what to do." Mr. Berardinetti stands up to the whip. Mr. Berardinetti knows that his primary job is to speak on behalf of his constituents. As I say, he has impressed me with an ability to work well, perform well on his feet. I encourage some of his colleagues to emulate his strength of conviction.

One of the things, of course, that Mr. Berardinetti did early on in his career here was move the well-known—in some circles, notorious—bill regarding gender pricing. I defended that bill just because of my commitment to human rights and equality, and I want to explain it, because he was complaining about the price of Toronto haircuts.

The problem is, Steve Baltich, down in Welland, went on vacation. He went out to Vancouver to visit his daughter who lives on one of the islands, a beautiful young woman. So I went down to Carmen, down at the Sheraton Centre, to get a boot shine and figured I was going to get a haircut at the same time. I saw David at British Hairlines, formerly DiFrancesco Hairstyling at the Sheraton Centre Hotel, a wonderful haircutting place downstairs. They were cutting my hair and he told me what the price was. The price happened to be twice as much as I pay in Welland, so I said, "You take off twice as much then, David," and I think he did a fine job.

So British Hairlines, David down at the Sheraton Centre. Get a boot shine while you're there, and you won't have to worry about any discrimination in terms of gender pricing, I tell you that, Mr. Berardinetti.

**Mr. John Milloy (Kitchener Centre):** I'd like to begin by congratulating my colleague from Scarborough Southwest for his presentation tonight and also welcome his friend Mr. Sutton, here from Alberta, and say that we hope he'll come back and join us in Ontario very soon.

Before commenting, though, on Mr. Berardinetti's speech. I have to correct the record. The member from Nepean-Carleton, whom I congratulate on her maiden speech here tonight, said she was the only member in the House who had a child under the age of five and I'd be remiss if I did not mention my son, John Patrick, all of six months last Saturday, who has gone to bed and could not watch it tonight.

As a new father, I must say that I'm very proud of this budget, and I'm proud of this budget because of the types of measures that my friend the member from Scarborough Southwest mentioned, because budgets are about choices. As he pointed out, we made a choice to address a number of deficits here in our province, a



deficit in terms of health care, and in my own community we've seen investments in hospital capital, wait times, four new family health teams.

In terms of education, I believe there was over \$400 million in this budget which has been invested for things like smaller classes and more textbooks and specialty teachers. And, of course, our strong communities: I have to commend the member from Scarborough Southwest who spoke about some of the infrastructure problems that are faced by our province which were addressed in this recent budget and will go a long way to addressing the deficit in that area.

Also one in terms of skills and learning, and he spoke rather passionately about the money that has gone into post-secondary education. Also into areas of research: In my own community, we saw significant investment in the Perimeter Institute for Theoretical Physics and the Institute of Quantum Computing. The types of investments which are made today are going to have a real payoff down the road.

Once again, I congratulate my colleague and concur with the points that he raised.

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** I'd like to comment on this Budget Measures Act. I want to raise the issue of truth in budgeting. Before I do that, I'm not sure the member from Kitchener Centre actually was in the Legislature when that comment was made about the age of children. I don't recall seeing him sitting there. Anyway, that could be a point of privilege or—

**Mr. Milloy:** I was sitting right there.

**Mr. Barrett:** Were you in your seat? I'm not going to debate that.

I want to talk about truth in budgeting. The member for Leeds-Grenville just indicated to what lengths the members opposite will go to slam the federal government, and I would ask the members opposite to take a look at what the federal government has just done with the introduction of their Federal Accountability Act, a major piece of legislation brought in by the President of the Treasury Board, John Baird—I was speaking with him this evening—and implemented by his able parliamentary secretary, Pierre Poilievre, whom I recently met at a dairy farm, as I recall.

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Truth in budgeting is one of the chapters in this book recently introduced by our new federal government. They're going to do two things. They're going to create a position of parliamentary budget officer. The budget officer will operate through the library and will be empowered to do objective analysis of the books, the finances and trends in the economy. The parliamentary budget officer will undertake economic and fiscal research, as requested, and will do estimates of the financial cost of various government proposals.

The second major initiative of this truth-in-budgeting approach will be the provision of quarterly updates on government fiscal forecasts. It's something we see in the private sector. I would suggest to members across the way that some of these ideas are well worth looking at.

**The Acting Speaker:** The member for Scarborough Southwest has two minutes to respond.

**Mr. Berardinetti:** I want to thank the members from Leeds-Grenville, Niagara Centre, Kitchener Centre and Haldimand-Norfolk-Brant for their comments regarding my speech. We're not always going to agree on everything, whether it be the price of haircuts or the issue regarding pensions and so on. But I just wanted to say, in closing, that this budget is good for the people of Ontario, as I indicated earlier.

One thing that I really want to stress is the issue of education. I'm going to end with another quote. Abraham Lincoln once said, "Upon the subject of education, not presuming to dictate any plan or system respecting it, I can only say that I view it as the most important subject which we as a people can be engaged in." This government is very engaged in the issue of education: \$6.2 billion in the Reaching Higher investment for post-secondary education—that's \$6.2 billion—and \$424 million more for education in 2006-07 to help students succeed through smaller JK to grade 3 classes, better math and literacy test scores and improved high school completion rates.

I attended the public schools of this province. I went to Ionview Public School and Winston Churchill Collegiate in Scarborough. They were excellent schools, and I highly recommend that anyone should be able to put their kids through public school. I didn't attend private school. I didn't attend any special school. I didn't even attend the Catholic school. I went to a public school in Scarborough, and I'm proud of it. The teachers were great; they were professional; they were number one. I think that that system should be allowed to continue to exist. This government is investing a lot of money to make sure that happens.

I also attended the universities in this province as well—three of them: University of Toronto, University of Windsor and York University. They were all fine universities. And I paid all my tuition fees as well, so they're all paid off, because they were before Mike Harris came to power.

**Interjection:** They were a lot cheaper back then.

**Mr. Berardinetti:** And they were a lot cheaper back then.

In closing, this budget addresses a number of things, including education. I'm proud of that.

**The Acting Speaker:** Further debate?

**Mr. Runciman:** I appreciate the opportunity to participate in the debate this evening. I found it interesting that the member for Kitchener Centre, in his two-minute response a little while ago, was talking about budgets being all about choices, which is self-evident. Obviously, not just the priorities but I think the political implications were clearly part and parcel of the decision-making process with respect to the drafting of this budget. If you look at the impacts and the reactions, there were decisions taken—and I would think very difficult decisions in some respects, when you're writing off some



of your own colleagues, but I think, politically, that's in effect what has happened here.

I think a cold, calculated decision was made by unelected people, essentially those people planning the next provincial election, as to what their best chances are of retaining a majority government in Ontario, looking at the budget and what you can do to ensure, as best you can, the security of those seats that you think you have a better advantage in, in terms of retention. And I think those decisions were taken to the detriment of small-town, rural Ontario.

In essence—I said this very briefly in a comment a couple of weeks ago, and I know I got some reaction from some of the Liberal backbenchers—I think what in effect has happened here is that the decision-makers in the Liberal government, who are for the most part not elected officials, have made a decision that they're going to write off at least 20 seats. That's a best-case scenario, I believe. That's based on my observations around this place for 25 years.

I've dealt with governments of the Liberal stripe and NDP stripe, and I know that it's difficult for backbenchers and, for that matter, perhaps even members of the executive council to accept that that will be their fate. I think that the reality is the best-case scenario, if the Liberal government wishes to retain a reduced majority in the next election, is that they're going to lose at least 20 seats, and those seats are going to be essentially in small-town, rural Ontario.

They made a calculated decision to make their significant investments in urban Ontario, primarily in the environs of Toronto, to the detriment of so many smaller municipalities and especially those who are dependent on the agricultural sector in the province. We've seen the boycotts from the agricultural sector, boycotting the food centres this last week or so, starving the grocery stores. I think we're going to see more and more of that as the days go by, unless there's some increased support forthcoming, and it doesn't look like it's going to be the case, at least not from the provincial perspective, as we know that many farmers are simply not in the position financially to invest in new crops this spring. That's part of the challenge, and that has a ripple effect throughout rural, small-town economies.

The best-case scenario is, as I said, writing off at least 20 seats. The worst-case scenario is 30 to 35 seats, which means they're going to lose government. I believe this is going to be a tough election a year from now. I don't think it's going to be a cakewalk for anybody. I think it's going to be a difficult, tough election, but I've encouraged members in the Liberal ranks who represent ridings much like mine, much like the member for Nepean—Carleton's, to speak out on those issues, where government initiatives are damaging their communities, damaging rural Ontario, not providing the assistance that's required in small-town, rural Ontario. Speak out and speak up, and you may defy the odds, because I will tell you, people do respect members of this place who take a stand which may not conform with the message of

the day from the government of the day. I've seen that happen on so many occasions. I happen to be a case in point. Early on in my tenure, I opposed Mr. Davis's decision to buy an oil company, Suncor. I think my resistance to that as a government backbencher at the time has stood me in good stead over the years. I would encourage you to think about it.

I know that we see members getting up, despite criticisms from their own riding media and despite hearing it from their own constituents, who feel an obligation to get up and once again spin the government line, read the lines that are provided to them by these unelected advisers making much more money than they are in terms of salary, with good pensions and enhanced severance, sitting in some corner office, telling them what they should say.

Remember, you are the people who were elected. You're the folks who are in this place today because people in your ridings got out and put an X beside your name, because they wanted you to stand up and speak out on their behalf, not simply read text prepared by some unelected, high-paid adviser in the Premier's office.

It's not just this place. I've seen it for so many years where it doesn't matter what party's in power. Hopefully, John Tory, when he becomes Premier here, is going to change this. I believe he's committed to changing this so we don't have the power vested in the Premier's office and all the team of unelected advisers that we've seen, whether it's a Liberal, NDP or Conservative government of the past. That happens at the federal level as well. I think democracy in this country has suffered as a result of that concentration of power in the hands of unelected advisers and officials in the Premiers' or Prime Minister's offices in this country and in the provinces across this great nation.

#### 2030

I want to talk a bit about eastern Ontario. My colleague the member for Nepean—Carleton, Ms. MacLeod, in her maiden speech talked about what she's seeing in her own riding. We had a statement she delivered in the House today. The member from Orillia, Mr. Dunlop, also spoke about the rural sector. In eastern Ontario, I want to focus on primarily what's happening in both the rural and agricultural sectors, but also in the manufacturing sector, which is really being devastated. There is absolutely no attention being paid to the crisis. I believe it is a growing crisis in small-town, rural Ontario in terms of the loss of manufacturing jobs, which are unlikely to return once they're gone. These are plants that have been in place for 50, 60, 70 years.

The Hathaway shirt factory in Prescott in my riding closed down. The history of Hathaway in Canada is rooted in Prescott, Ontario. That's where Hathaway began in Canada. Now that operation has closed. They're gone forever from the place in which they began their businesses in this country. We saw RCA move out of Prescott. We saw Newell Manufacturing move out of Prescott. This is a town of 5,000 people—a town of 5,000 people losing significant manufacturing over a period of



a few years. I think you can have some appreciation of the impact that has on the economy and on the tax base, on the ability of a small municipality to provide the necessary services to their taxpaying constituents and others who can't pay taxes.

I'll continue with my own riding for a moment. In Brockville, we've seen the closure of SCI: 1,100 jobs moving to Montreal and the United States and some to Mexico. We saw Mahle Manufacturing in Gananoque close recently—another significant job loss. Black and Decker moved out of Brockville. Phillips Cables closed down its complete plant operations in Brockville. Recently, we heard of Nestlé closing its manufacturing operations in Chesterville—again, a long history in that community and very significant to the economic well-being of that particular part of eastern Ontario. Domtar in Cornwall—I think it was 1,200 jobs, and the final lock on the door was a week or two ago. You can imagine the impact of 1,200 jobs being lost in the city of Cornwall. Morrisburg lost—I can't think of the name off the top of my head, but it was a textile operation again—150 to 200 jobs in the Morrisburg area. We've seen manufacturing operations closing down in Belleville recently and throughout eastern Ontario. Province-wide, 80,000 manufacturing jobs were lost in the last calendar year. Projections are that there might be up to 100,000 manufacturing jobs lost this coming year.

I want to focus on eastern Ontario with the exception of Ottawa, which has had its own challenges and struggles and was essentially ignored by the budget in terms of infrastructure funding and so many other areas where they could have provided assistance. But Ottawa and the city of Kingston have done reasonably well over the years. They've had some challenges as well, I'll admit. But outside of Ottawa and Kingston, I recall a study done some years ago by the federal government showing that poverty levels in pockets of eastern Ontario were the greatest in all of the province of Ontario, pockets around Cornwall and some of the areas in Mr. Yakubuski's riding, with people living in desperate circumstances. That situation has only worsened over the past two or three years with the loss of good manufacturing jobs and the ripple impact that has on the providers to those businesses and the providers of good and services to the employees of those businesses.

We see so many in the agricultural sector who are in desperate circumstances. Unless you get out and actually meet and talk to these people, I don't think you have a real understanding or comprehension. I've said in this House before that I hope the Minister of Agriculture—maybe she's done this already—would look, especially when the House is in break period, at having a number of trips into rural Ontario, bus trips, whatever, to meet people, spend a day talking to them, taking with her the colleagues who represent urban Ontario, the Toronto area, who perhaps don't have the understanding and appreciation that I suspect she would have as a representative of that part of the province.

The federal member, Gord Brown, and I spent a day a couple of months ago touring farms: beef farms, dairy farms, hog farms and poultry. But we also met with a whole range of people impacted by what's happening in rural Ontario, not just the farmers themselves: implement dealers, seed dealers, bank managers, grocery store operators, people who were all suffering, who have extended lines of credit to try and keep their friends and neighbours afloat during this extremely difficult period.

I guess it's all in having an appreciation of how important the agricultural sector is to our heritage and to small-town Ontario. We see an attack on that. We've seen the creation of an organization called the Lanark Landowners Association. I have an offshoot of that in my own riding, the Leeds and Grenville Landowners Association. You can agree or disagree with their tactics, but I have to say that I think many of the positions they take are valid and are accurate observations and reflections of the growing anger in rural Ontario.

For example, we have these decisions about markets and selling pies, where organizations for 50 or 60 years have been supporting the local church by having a bake sale or having potluck dinners at the local church hall. We have these storm troopers coming in, closing these operations down and saying, "You can't do this without some certified kitchen. All this material has to be produced in a government-approved, centralized kitchen." You have the bureaucrats in their ivory towers in Toronto telling these people, who for decades and decades have been doing this—it's part of the culture of small-town rural Ontario. Now we have these bureaucrats, who supposedly are directed by the members of this elected assembly, telling rural Ontarians, "No, you can't do that any longer. You can't sell ungraded eggs at the side of the road at your farm. You can't do this. You can't do that. You have no property rights," etc. You can understand their frustration, and sometimes I don't support it. I'm a supporter of supply management and my party is a supporter of supply management, so I think there are situations where the case goes beyond the pale.

#### 2040

But there are so many other instances where this government and this assembly—I think we have to take responsibility on our shoulders, especially those of us who represent small-town, rural Ontario, to speak up on behalf of these people and make sure their voice is heard. That is one of their ongoing and legitimate frustrations, that their voices aren't being heard enough. Quite often, especially in government ranks—and I'm not trying to be partisan with respect to the fact that we have a Liberal government of the day; it probably happened with the Conservative and NDP governments as well, that people are intimidated and don't get up and don't speak on behalf of their constituents, people who have very legitimate concerns about the intrusions of government and its bureaucratic arms throughout the province of Ontario, with little appreciation or understanding, let alone empathy, for the great historic traditions of this province in rural Ontario. More and more of us have to



start doing that. If that means going on the front lines—and I have to give my colleague Mr. Barrett, whose riding is Haldimand–Norfolk–Brant, credit because he's taken a very activist role in this, and I'm sure that some people will be critical of him for doing that. But when we've talked about the tractor blockades on the 401 to express frustration, or wherever it might be, Mr. Barrett has been front and centre. He has had the courage of his convictions. He's standing up for the people he represents and he's doing it extremely well. As long as he wants to run for re-election in this place, he will be re-elected, because he does have the courage of his convictions. Regrettably, we don't hear enough of that or see enough of that in this place. I would encourage my colleagues across the floor to think about that, to think about it in the next year as we approach the election.

Obviously, we're already seeing things designed to assist the government in its re-election bid. I was reading Mr. Kinsella's comments recently. Mr. Kinsella, for those who are watching and don't know, is a high-priced Liberal adviser who used to work with that renowned group in Ottawa led by Mr. Chrétien, who got caught up in a little thing called the sponsorship scandal. Mr. Kinsella is a key adviser to Mr. McGuinty in terms of preparation for the next provincial election. He is also being well reimbursed by a whole range of people who want access to the Liberal government. Most recently, it was brought to our attention, he is being paid \$100,000 by boards of education. Now, where do boards of education get their money? I think it's from taxpayers. They're paying Mr. Kinsella \$100,000 to have access and hopefully persuade the Liberal government of their cause. That's the sort of thing that's going on. But Mr. Kinsella was talking about the Premier, Mr. McGuinty, as Joe Schmo. He said that Dalton McGuinty is Joe Schmo and the province is full of Joe Schmoes. I think at one point maybe Mr. McGuinty was Joe Schmo, but he isn't any longer, and he's supposed to be representing eastern Ontario. He's now living in a mansion in Forest Hill paid for, essentially, by taxpayers through the Liberal Party of Ontario. He's getting very expensive haircuts, driving in a limo, escorted by OPP. When he has to face traffic jams going to Hamilton, he has a taxpayer-funded airplane fly him to Hamilton. His days as Joe Schmo are over, and I think he has effectively lost touch with the people of Ontario.

**The Acting Speaker:** Questions and comments?

**Mr. Bisson:** I have just a couple of comments on the speech we just heard. There was a bit of a theme in one part of it that I think a number of us are starting to feel, especially in the rural and northern parts of this province, and that is a move on the part of the provincial government to stop what we're seeing in out-migration from those communities into larger centres. If we don't get our heads around this particular issue, I think it's not only going to negatively affect, obviously, those rural and northern communities that lose people to the Toronto economies of the world and others, but at the end of the day it hurts us all. This province only works well, in my

view, if all sums of it are able to benefit in some way from what's happening in the economy. What we've got in places like Toronto and others is a synergy; the economy is large enough on its own, despite whichever government is there, to fuel itself as an economy—just the fact that investors are all in one area, the transportation system is such, banking services and capital are available in close proximity, telecommunications. All of that lends itself well to the economy running well in places like Toronto, the GTA and other areas.

But what we're seeing is that there is really no policy on the part of the provincial government—and I think that's what Mr. Runciman was trying to speak to—to really look at how you deal with economic development in those other areas of the province. How do you make sure there's a growing economy in the eastern part of the province? How do you make sure there's a growing economy in the northern part of this province or other parts of Ontario? I think that's a sense in which a lot of people are feeling frustrated with this government. You look at the closure of the mill in Cornwall. People said, "Where is the government?" It was nowhere to be found. You find closures of sawmills and paper mills in northern Ontario. Entire communities, like Kenora, Chapleau, Kirkland Lake, Opasatika, Terrace Bay and Thunder Bay, are devastated, and the government's response is almost deafening. I think people are starting to feel, "Where is this government when it comes to these issues? Who's speaking for me?" I think that's what the member was trying—

**The Acting Speaker:** Questions and comments?

**Hon. Mrs. Dombrowsky:** As a member from eastern Ontario, I would like to remind the member from Leeds–Grenville that I wish he had been such a strong advocate for eastern Ontario when they were in government. Maybe then that government wouldn't have downloaded 40% of the provincial highways onto the municipalities in eastern Ontario. That was a burden that was beyond their ability to bear.

Our government has come along and, partnering with our federal government, implemented the COMRIF program. Municipalities are very appreciative of the investment that this government has undertaken to make in rural infrastructure. I would also remind the honourable member that we've chosen to invest in Move Ontario, which is providing \$400 million for rural municipalities across Ontario so that they can invest in roads and bridges without qualification; they don't have to apply through the COMRIF process. We have invested in rural schools, in family health teams that will enable families across rural Ontario to access primary care through family health teams.

But I was most intrigued with the honourable member's comments about the landowners, and his statement that he is in communion with what they represent, the ideals that they represent. Landowners are against supply management; landowners are against food safety. Obviously, the honourable member doesn't see any problem in selling ungraded eggs. It would appear that



he's not in favour of food safety either. He's prepared to overlook the need for that. The landowners are against supplying support to farmers in times of need, and our government believes that we need to support our farmers. We want to work with our farmers and our federal government. I think it's very unfortunate that the honourable member would follow what I believe to be unsound policies. It will certainly be something I will be bringing to the attention of supply management folks, if that is your party's position.

**Mrs. Julia Munro (York North):** I'm pleased to be able to offer a few comments in response to those made by the member from Leeds–Grenville. I think one of the hallmarks of the comments he made was recognizing the very important role the government plays in providing the right climate for job creation. In fact, when we look at this province in the last year, we see a pretty dismal record, quite frankly, in the area of job losses, particularly in specific areas—manufacturing, and also in the primary areas of lumbering and paper mills and places like that. Certainly, when you look at the fact that without a job a family loses a great deal in terms of its ability to function, it also has an impact on the community at large. He referenced the kinds of problems that we see in rural Ontario, where agricultural policies are leading to devastation, where farmers are unable to plant, to put seeds in the ground, to make that kind of investment in their own personal financial future.

I spoke to an individual affected by job loss in Thunder Bay. It was interesting, because it's such a short turnaround time before that one job loss translates into a community being devastated. It was clear by his wife's occupation that she felt the immediate pinch in her business by the number of people who'd lost their jobs unable then to do business with her. That's what we're looking at with this government.

2050

**Mr. Arthurs:** I appreciate the two minutes. I must say, I'm somewhat disappointed in the comments of the member for Leeds–Grenville, with some 25 years. The middle part of his comments, from a parliamentary perspective—Her Majesty's loyal opposition to hold governments to account—was reasonable. I didn't agree with his speech, but the middle part was reasonable on his role. I must say, the first seven and a half minutes and the last two minutes disappointed me. I can only refer to them as a form of political intimidation—spending an inordinate amount of time talking about the number of seats that a government might lose in a pending election, about salaries and pensions and enhanced severances and advisers, and referencing the Premier and his work and the schedule he keeps and choosing, because of his business, to live here in Toronto, but disparagingly so, and the form of home he may be residing in currently or the nature of his haircuts or how he has to travel and have the security that any Premier would have in this province. I think that's an unfortunate use of the time available, some 20 minutes.

I would think that as someone with 25 years here, or thereabouts, the member for Leeds–Grenville, having served in opposition and in government, quite frankly would have far more to offer to the budget debate in his 20 minutes than using half of the time for that type of approach to the budget. As a member of Her Majesty's loyal opposition, Her Majesty's official opposition, his comments in respect to how he sees the budget, to hold governments to account, are the right things to do, and it's how the time should be spent—in spite of the fact that we've contributed some \$800 million over three years for income support for farmers, \$125 million recently for the grain and oilseeds part of the business, as a clear effort to ensure that we can provide a hand up in support to the farming community. That's only one example of some of the things we're doing, and I wish the member had spent more time talking about the budget and less about those other things.

**The Acting Speaker:** That concludes the time for questions and comments.

The member for Leeds–Grenville has two minutes to respond.

**Mr. Runciman:** I thank all members who participated in responses. It's always interesting when a Liberal gets up and chastises a member of the opposition for being critical of the Liberal government. Those of us who've been around here for a while recall the vicious and very often personal attacks by the Liberal Party when they were in opposition, so it's pretty difficult to swallow this sort of view on how deeply offended they are when they feel some heat with respect to what I think are justifiable criticisms and observations about them in government and some of their representatives.

I also found it interesting with the Minister of Agriculture to talk about food safety. I think of the folks back in my riding, the Philipsville Women's Institute and others, who like to hold potluck dinners, and listen to what this minister has to say, this minister, who supposedly represents rural Ontario, getting up and defending the bureaucratic jackbooters who want to close down these kinds of historic operations in rural Ontario.

The reality is, this is a Toronto-centric government. If the minister is talking to people in rural Ontario, she'll get that kind of feedback from them. They are very upset about the budget; they're very upset about the focus on Toronto, to the detriment of small-town, rural Ontario. Just look at the makeup of the cabinet: Almost 50% of the cabinet are representatives of the city of Toronto. This is where they believe their electoral well-being is in terms of a possible re-election next year, and that is their primary focus. The rest of us, especially those of us in small-town, rural Ontario, are suffering as a result of it.

**The Acting Speaker:** Further debate?

**Mr. Bisson:** Let me try. It being almost 9:30 of the clock—I just thought I'd test the waters, see if you people here are paying attention at about five to 9. I notice I have some supporters out there.



I want to say, Speaker, that I am more than pleased to participate tonight in this budget speech. And I must say, as whip, I couldn't have picked a worse Chair.

Anyway, I want to put on the record a number of things that I know my colleague from Ottawa—Nepean and my friends from other parts of the province are going to agree with, that is, a real sense that this government has kind of lost its drift; it's out on the ocean somewhere and nobody really knows where it's going, and we had better hope we don't find an iceberg soon, because if it finds us, God help us. I don't know if we're going to be able to steer around it.

Let me give you a couple of reasons why I feel that way. I represent northeastern Ontario. My riding is Timmins—James Bay. It takes up most of northeastern Ontario, most of the geography stemming from Timmins up to Hudson's Bay, from the Quebec border out to about Lake Nipigon. We're really hurting. There's no nice way of putting it. Government likes to say, "Look at this. Jobs are going to be going up and things are just going to be rosy." But in the city of Timmins, let me tell you, if it weren't for mining, we would be doing really bad. We're lucky that the mining sector is doing well, that gold prices are up, base metal prices are up. Despite anything anybody else does, when gold prices are up and base metal prices are up, the mining sector does well, and because of that, there's some good, positive activity happening in our community.

In fact, I want to start this on a positive note. A couple of weeks ago, I was at the Porcupine Prospectors Association annual ball. I've gone to many of these over the years. I've been a member here for some 16 or 17 years, and I have been to a lot of them. I have been to a number of them where you get a bunch of explorationists and a bunch of geologists in the room and, boy oh boy, it couldn't have been a grimmer place. But this last time Charlie Angus, my federal counterpart, and I, along with the mayor, Vic Power, were there and I have never seen so many geologists and explorationists in a better mood because of what's happening with the price of gold and copper. That's really nice to see for a change. That industry has really seen some tough times over the years, and it has taken a real change for the positive with the change we've seen in the base price of metals.

If we could only get forestry working just as well, we'd just be swimming in money in northern Ontario. I want to start on this point, to say what I said earlier in response of one of the speeches: The economy of Ontario, in my view, only works well if all parts are doing well. If the agricultural sector is healthy, if the mining and forestry sectors are healthy, pulp and paper, manufacturing, if all of it is healthy, then all of us can prosper to some degree. The problem we have is that our economies are very much regionalized across this province. That's just the history of it. I don't blame any particular government for doing the economy is structured today. That has been the doing of the private sector and, to some degree, governments over the years when it

comes to how we have established infrastructure and how business has developed over the years.

There was a time, specifically for us in northern Ontario, when forestry and mining were doing well, that we were doing extremely well. There was lots of employment. Young people wanted to stay in their communities and people wanted to come into our communities to get jobs. Businesses wanted to go there to establish, to make money. Everything worked well for everyone, including the province of Ontario, because as it turns out, forestry and mining are great big exporters in Ontario and do a lot when it comes to evening out our balance of trade with the United States and others because those are some of the main commodities of the province. It just happens that at this time we're at a juncture in the economy where mining is doing well but forestry is not doing so well—it's doing pretty badly, quite frankly—and we find ourselves in a situation where there's this huge restructuring going on in industry and the government doesn't seem to know how to respond. It's really bewildering.

I was speaking earlier today at the wood conference of the Steelworkers. It used to be the old IWA 2955. It represents all the sawmill workers and woodland workers from about David Ramsay's riding and mine, Charlie Angus's riding, across northeastern Ontario. We were having a chat and they were saying what the problems are in their industry. There are many. This provincial government is trying now to say, "It's all the softwood lumber dispute." I remind members of this assembly that we've been dealing with this dispute since the beginning of free trade. This is the fifth time that we've had actions against the United States in regard to their trying to say that we're somehow subsidizing the forestry sector where all tribunals—in fact, one just came back last week saying that's not the case. So this is nothing new. It happened in the 1990s, it's happened since and it's going to happen again. We're going to win this one. The Americans are just going to back to doing what they do best, and that is being a protectionist economy.

#### 2100

Let's put it where it is. The Americans talk a great line when it comes to being the defenders of the free world and the biggest free market economy, but the only thing free about it is their access. Americans are very good at wanting to have access to everybody else's markets and everybody else's economies and opportunities, but when it comes to us to getting access to theirs, it's a different thing. Take a look at what happened in the agricultural industries when it came to our producers in the meat sectors in cattle and pigs and others. The Americans closed the borders for how long, and how crippling was that to our industry?

Let's take a look at the subsidization that the Americans have on their grain and oilseed producers. What are the numbers, Minister of Agriculture, if you can help me? I understand it's about \$250 per acre that the Americans are subsidizing their producers against ours. What are the numbers? Help me. She doesn't know



offhand. That's what happens to politicians, I guess. Sometimes we see a number, and when we try to refer to it weeks later, it ain't there. But the point is that the Americans are great big subsidizers to their agricultural industry. They then point the finger at us with our forestry industry and say, "Look at how protectionist you are." We're not even subsidizing the industry. They're subsidizing their agricultural industry and they call us protectionist? My, I've seen everything.

My point is that we can't pass this crisis in forestry off to what's going on in the softwood lumber industry. The reality is that there are some issues we need to deal with here within the province. People are waiting for this government to respond to the key economic issues within the forestry sector. The biggest one is hydro—surprise, surprise. If you're operating a pulp and paper mill somewhere in Ontario, be it Cornwall, Kenora, Kapuskasing or Elliot—I was going to say Elliot Lake; they'd love to have one—or Espanola, the issue is the same: Electricity prices will drive you out of business. I sat down, along with my leader, with industry leaders from Tembec, Abitibi and Domtar, and they've all said the same thing to us. They said, "Listen, if we have to invest money in our pulp and paper industry, it isn't going to be in Ontario, and the prime reason is electricity cost." They're saying it flat out. They're not about to make major investments in Ontario, and if you don't make those major investments in those mills today, they're not going to be here 15 years from now because they won't be competitive. You've got to invest the money today to make sure you're competitive tomorrow, to make sure you have the best technologies, to make sure you're as efficient as you can be.

God knows that the Ontario industry is amongst the most competitive in the world, but we're going to lose that competitiveness because industry does not have the confidence to invest money in this province in their own mills. Why? Because they can buy electricity for between a third and a half of the cost in the provinces of Quebec and Manitoba. The Premier stood up the other day in the House to answer a question from my leader, I think it was, or it might have been another member, saying, "Well, Quebec has abundant hydroelectricity prospects, and Manitoba has the same." Like we don't? Has anybody looked at the number of rivers in this province and how much electricity we actually generate from our rivers? Yes, we have a bit of a crunch going on right now, but I think that crunch is being artificially created to a certain extent by this government in its bid to boost nuclear power. I think at the end of the day that's going to kill us. The whole coal issue: You can't take 7,500 megawatts out of the system and expect to not have a hiccup in the system. If the goal is to eliminate coal, that's laudable, but you've got to do it in such a way that there's a replacement there that's efficient for consumers to pay.

We need to take a look at the issue of conservation much more seriously. The amount of money we spend on conservation is a pittance compared to what we could be

spending, which would allow us not to have to invest in nuclear and drive up the price of electricity again. Plus, this government's bid to continue down the road of privatization and deregulation in the hydro industry is madness. It doesn't work. It hasn't worked anywhere. Why do you think it's going to work here? They tried it in Alberta. They tried it in California. They tried in the UK. It doesn't work.

At the end of the day, one of the cornerstones of the Ontario economy is—or was, I should say—supplying electricity at cost to our industry. If you were establishing a plant in Kapuskasing to make pulp and paper, one of your competitive advantages was low electricity prices. Why? Well, that one was of the ways that we gave our companies a little bit of an edge without subsidizing them. We weren't subsidizing industry. What we were doing was supplying electricity at cost, and that is part of the incentive for working in Ontario. So people that needed a lot of electricity—in the mining industry, manufacturing, forestry and others—established themselves here because of that, and we're going to get rid of that. It's beyond me. When I talked to the Steelworkers this morning or when I talk to people in industry, they shake their heads. Poor Terry Skiffington, who's the manager at Tembec. The first thing he does every day and the second thing he does every day and the last thing he does every day is look at the price of electricity. This guy has got other things to do than just watch the price of hydro; he's got to run a mill. But they're so concerned about the price of hydro, they've got to keep an eye on it almost every second to make the decisions about what's going to happen with production that minute, that day. I say to the government, if you're going to do something to address the issues affecting industry, you've got to look at electricity costs.

The other thing you need to do, quite frankly, is that we need to have some forestry policy here, economic development policy designed for the forestry sector, something that has not been done. If the government does that, maybe then there will be confidence. But I don't see it at this point. People ask, why is the government prepared to support—and rightfully so, no argument—subway expansion for Toronto? Wonderful. The film industry in Toronto? Wonderful—great support; nothing wrong with that. Support the automotive industry in southern Ontario? Great; nothing wrong with that. "But why won't you support us?" they say. And it's the same thing across rural and northern Ontario, the whole sense that this government has a policy that says, "Rural and northern Ontario? Where is that? Can somebody show me the road map? Heard about that somewhere. Somebody spoke about that last week, didn't they?" And nothing gets done.

I know how frustrating it is for some of my colleagues on the government side. I've seen the articles. I've been in your communities, as you've been in mine over the years. I understand how difficult it is. I just say we've got to wrestle that one some way, because otherwise it's



going to be a really tough time down the road when it comes to what happens in forestry.

The other thing that is bothering me in the economy—I started to speak about it but I got a little bit sidetracked because I got on my hydro hobbyhorse and my hobbyhorse around forestry, because those are the issues that are often front and centre in my mind. But it's the issue of regionalization. There is this really growing sense that there is no policy to figure out how to assist the northern and rural economies in this province. I come back to my point. If we're able to support our economies in rural and northern Ontario, the rest is going to take care of itself. Toronto? I love Toronto. Toronto is a wonderful city. But the economy of Toronto is going to work no matter what you do. There are how many millions of people in this area and the investors are here and the transportation infrastructure is here. Barring doing something catastrophically stupid, the economy around the GTA is going to work fine. But if we were to concentrate on making sure that central, northern and rural Ontario were doing well economically through policies that make sense to assist the entrepreneurs to get things going, then the rest of it is going to take care of itself. Because where are they are going to buy their supplies and services anyway? They're going to buy them in Toronto, in the GTA.

Imagine if we had a value-added industry in northern Ontario in the woods industry as they have in Holland per capita. There is more value-added going on in Holland than there is in all of Ontario, and they don't even have a forest to cut down. We do, and we do it well and we replant it. But imagine if we were to have the types of incentives we need. For example, you can't access capital north of French River. My good friend Michael Gravelle knows that. How many entrepreneurs have we dealt with who say, "I go to the bank and there's this unwritten policy that they don't lend money north of the French liver—River"? North of the French liver too. My French liver can only take so much. It's all those late nights and wine and whatever. "My French liver"—that was funny. Even I laugh at myself on that one. And some livers are bigger than others, but that's another story.

Anyway, my point is that north of the French River it's hard to get money, so we need to find some way either to get the banks to assist, or if not them, then for us to create the type of investment vehicles that allow them to access capital. We need to support entrepreneurs in taking a look at, if they have an idea, helping them put together the business plans. We do this stuff to an extent—the northern Ontario heritage fund and FedNor and other programs support them somewhat—but there's really no one place people can go where those types of services are available in a way that works for them in developing their business plans, in taking a look at the markets, in looking at the transportation issues: How do you get your goods to market? How do you get your raw materials to your mill? How do you get your raw materials and your supplies to your mill in a way that's cost-efficient so you can compete with the guy who's

trying to put you out of business somewhere in the GTA or China or wherever it might be? We need to have those types of policies to assist our entrepreneurs to do that kind of economic activity. We need to seriously look at this issue to make sure that central, rural, northern, eastern and southwestern Ontario are able to thrive when it comes to the rural and northern economies so that at the end of the day we all do well. If we do, Toronto will do well, because that's where they're going to buy most of their supplies and services to get their mills going or whatever it is they're going to build.

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There seems to be this sense of regionalization. One of the things that drove somebody crazy—I was at a meeting in my constituency a couple of weeks ago—was on the LHINs issue, the local health integration network that is now being set up in North Bay for all of the area in northeastern Ontario. It would be like somebody sitting in Sarnia having to go to a LHIN meeting in Toronto—even farther. It's really far. So people first feel disconnected. But what's now going on is this real sense that there's going to be a regionalization of services. We just found out that the alcohol addiction services are going to be regionalized. That's going to drive people over the edge. Those communities that are the most economically hurt, which probably need addiction services the most, are going to have to travel their people further to get treatment. That doesn't work. People don't travel great distances when they're crying out for help. They cry out for help for a few minutes, and if we get them in time, they end up in a centre; if they don't, they keep on drinking or whatever the abuse might be. And there's a CCAC move. They're going to be regionalizing the community care access centres. Small communities are saying, "It's hard enough in Smooth Rock Falls to get Timmins to pay attention to us. Imagine where we'll be if it's North Bay." There's a real sense that there's a regionalization of services going on.

It's not just for me. I'm sure that in Parry Sound and others we all have the same issues. My point is that government needs to pay attention to those parts of the province that need their attention the most. I'll say it again. This is not a bash on Toronto. I love Toronto, the GTA, the people here, the economy; it's great. But we need to make sure that we take care of the outlying areas, because at the end of the day, if you take care of them, Toronto and others will do fine. There seems to be a sense that that is not happening to the degree it should be. I heard one of the Liberal members heckling Mr. Runciman, I think it was, about 31,000 jobs last month. I sort of sat there and went, "Yeah, probably all around the GTA." I don't doubt it. There probably were 31,000; probably a lot of part-time and low-wage jobs in there, but I'm sure there are some good ones too. But how many in Parry Sound–Muskoka and how many in Nepean and how many in Timmins and how many in Chapeau and how many in Thunder Bay and how many in Kenora?



**Mr. John Wilkinson (Perth–Middlesex):** Mining jobs.

**Mr. Bisson:** But I'm saying—I started this whole thing out by saying that mining is good, but there has been a net loss in jobs in northern Ontario because of what we've seen in forestry.

I just say to members, be careful. I'm happy that Toronto is doing well—it's great, it's wonderful—but God, we want some of that too. At the end of the day, who is served well if all the young people in communities like mine end up in Toronto? Nobody is served well by that. The families aren't served well, the kids aren't served well and I would argue that Toronto is not served well, because it adds to the multitude of problems that come with administering a large city with many, many people. In my view, you're better off having the outlying areas doing well and supporting themselves and prospering so at the end of the day we're all able to participate in a way that makes some sense.

I've only got a minute left, and I just want to end on this note, and I hope I can do it in 58 seconds. Yesterday, I was at the funeral of the little girl who died in the house fire in Kashechewan. It was really something to be at. I've been to a number of these, and the Mushkegowuk Cree have an amazing way of healing themselves. We were at the ceremony yesterday, and it went on for about five hours, because everybody in the community who wanted to got up and said something about what had happened and talked about the little girl and the wonderful person she was and the life she gave the community. I couldn't help but sit there and think to myself, "If only the rest of us had that attitude." They're amazing people to go through the difficulties they do—we know what they are—and at the end of the day still have hope. It just floors me when I work with the people. I just end on this point: We need to work together to come up with a regional solution for fire services and emergency services in those communities. It's unacceptable that you don't have a fire department and police services or ambulance service in communities like Kashechewan where people die because the basic services aren't there. I call on you to help.

**The Acting Speaker:** Questions and comments?

**Mr. Michael Gravelle (Thunder Bay–Superior North):** Obviously, I listened very intently to the comments by the member from Timmins–James Bay, and certainly there's nobody in the Legislature who would argue about the crisis that we've been facing with the forestry sector in northern Ontario. But it's difficult to sit here and listen to those remarks when the member will not acknowledge the response that our government has had to that crisis. One talks about the help that's gone to various other sectors. In fact, we couldn't wait for the budget to come out in order to provide the help we needed. In February, \$220 million was provided, once again, to have the province pay for the cost of forestry access roads. The member may not particularly like to hear this, but it was his own government that began to download those particular costs to the companies, which

were not at all pleased to see it happen. We uploaded those costs again. We put a rebate on stumpage fees. We have the \$150-million prosperity fund to help companies with their energy projects, which are going to be rolling out very soon. The Ontario Forest Industry Association has noted that no government has been more helpful than our government, and more substantially helpful in a financial sense, in the history of this province.

I'm not suggesting this is the end of the story or there's not more we do. We know there are some real some challenges related to the energy file, and I'm delighted to have the Premier talking about the possibility of regionalized pricing.

I also want to say, with the few seconds I have left, that nobody tonight has talked about the one great choice that was made in this budget, which was to provide the insulin pump for children with diabetes. You talk about choices. It was a great choice that was made. We know that the lives of 6,500 young people are going to be improved in a dramatic way because of the provision of insulin pumps and the supplies associated with them. I'm very proud of that. We all should be in this House. It was a great triumph for us all.

**Mr. Barrett:** I enjoyed the comments of the member from Timmins–James Bay. When you're debating the Budget Measures Act, Bill 81, it does get a little dry, and it was refreshing to have him talk about his French liver. I myself am from a family of long livers. Many of us here may well be descended from nobility. I think of cirrhosis of the liver. Maybe this comes to mind because I spent 20 years working for the Addiction Research Foundation.

I want to take a look at schedule O of the Tobacco Tax Act, which is contained in part in the Budget Measures Act. It focuses on, yet again, additional measures incorporated in this legislation with respect to enforcement. This would be enforcement with respect to excise and duties. Obviously, this government is losing control of the tobacco economy and obviously has completely lost control of the underground tobacco economy. So schedule O amendments are proposed to the Tobacco Tax Act to strengthen Ontario's tobacco-related enforcement activities, including enhancements to allow greater information sharing amongst provincial, municipal and federal counterparts. We have an astounding situation. I just think of one native community, Six Nations, within my riding. Organized crime has pretty well taken over the sale and the availability—in part, the manufacture—of tobacco products, certainly on other reserves. Six Nations has a legitimate manufacturing facility that is under the auspices of the federal government.

**Mr. Leal:** I listened intently to the member from James Bay. I had the opportunity to be in Timmins not too long ago on behalf of the Minister of Energy. It was an opportunity for me to hear first-hand, as he very accurately described, of the positive nature right now in terms of the mining industry, particularly with the development of the De Beers mine and the opportunity for the Attawapiskat First Nation people to train for those



jobs, and rightfully so, because that's a resource within that area.

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One of the difficulties in the forestry industry is that many manufacturers thought we were always going to have the 63-cent dollar. Many of them took the opportunity and made substantial profits during those days of the dollar at 63 cents but failed to invest for the future. Other companies that looked ahead and saw that the dollar was going to appreciate because of the fundamental strength of the Canadian economy took the opportunity to invest in new manufacturing, new machinery, new processes, and they're the ones throughout this province that are able to survive. In fact, in my hometown of Peterborough—there's some talk about doom and gloom in eastern Ontario—General Electric has just added 200 people to the workforce in my community.

The other thing that I've never quite understood about the NDP position is their approach to nuclear energy. In Ontario today there are 30,000 jobs directly related to the nuclear industry, and those 30,000 jobs by and large are high-paid, unionized jobs that are based on a lot of research and development. You would think at least that you'd want to look at that as part of our mix to provide for the future. If you want to talk about small-town Ontario, General Electric has an operation in Arncliffe that makes fuel bundles, and Port Hope and several other communities. So when we talk about power for the future and the options we have, I think we should remind ourselves that in a lot of small-town Ontario there are very advanced manufacturers in this area.

**Ms. MacLeod:** I'd like to commend my colleague from the New Democratic Party, Gilles Bisson of Timmins-James Bay. I enjoyed his comedic relief, but I also applaud him for standing up for rural communities.

*Interjection.*

**Ms. MacLeod:** Oh, he's very funny. For the eight days I've been here, he's been very funny.

I applaud him for standing up for rural Ontario, as I represent a very vast riding with a large rural component.

I'm wondering if the honourable member has any thoughts on accountability in this government. My colleague from Haldimand-Norfolk mentioned the Federal Accountability Act, of which people in Nepean-Carleton are very proud because the previous member, who is now the Treasury Board president, John Baird, was the minister responsible for ushering that in. But we're also very proud because the parliamentary secretary to the Treasury Board is the member of Parliament for Nepean-Carleton, Pierre Poilievre. He was largely responsible for drafting the whistle-blower protection portion of the accountability act. I'm just wondering if you have any thoughts and/or ideas on how perhaps our current government, the Liberal government, might be able to adopt some similar legislation and make it more accountable and keep a few more promises, and how that might benefit your area of Ontario, in fact all of rural Ontario; for example, maybe making the Ministry of Agriculture a

lead ministry, as was the promise in 2003, and maybe restoring some of the \$244 million cut from the agriculture budget or the 56%—or is it 51%?—that was stripped from the grain and oilseed producers.

Anyway, I've just been here eight days. I'm very much enjoying learning, being very proud of the constituents in Nepean-Carleton and wanting to fight for their interests, and I just wanted to know if you have any thoughts.

**The Acting Speaker:** The member for Timmins-James Bay has two minutes to reply.

*Applause.*

**Mr. Bisson:** I very much appreciate the warm round of applause from all my colleagues in the House.

To all of you, the members from Nepean-Carleton, Peterborough, Haldimand-Norfolk, and Thunder Bay-Superior, I just say—first of all to the member for Thunder Bay-Superior, I made those comments today at the Steelworker thing about the five bucks on the delivered wood costs, but our point is that it doesn't cut the grade. We've still got problems. That's the point I was trying to make.

In regards to my good friend from Haldimand-Norfolk, I thought it was pretty good humour. I never thought about that. What was the line you used? I had to write it down. I talked about my French liver and you talked about your being a long liver. I thought that's not bad at all—pretty good.

The member from Peterborough, I heard your comments. I couldn't agree with you less.

And to my good friend from Nepean-Carleton, yes, you have to have a sense of humour in this place, otherwise you'll never survive. If you've been here eight days, you've figured it out a lot quicker than most. Quite frankly, we need to keep our humour amongst us, otherwise this place will drive you crazy. Certainly, the rigors of the job, as we all know, will drive you crazy. We are serving because we choose to serve, but we all know, across the aisles, no matter what party you come from, there are a lot of demands on your time from your constituents, your constituency office, your government portfolio, whatever my critic's portfolio might be. What happens in this place is important, but we shouldn't take ourselves so seriously that at the end of the day we can't laugh at ourselves or amongst ourselves about particular issues.

I'm going to challenge the next person who gets up in the House to suggest the following: that we move adjournment of the debate to the next date.

**Mr. Wilkinson:** I want to welcome the new member for Nepean-Carleton. I would say, with all due respect to her inaugural speech, you might want to talk to your colleagues a bit about the history of this place; talk about accountability and represent a party that perpetrated that great electoral fraud known as the Magna budget. When we talk about accountability, when we talk about John Baird, who used to be here—I know that there is no Catholic like a convert Catholic, and I say that as a Catholic. There is none who sees more than those who

have been down the dark path. I'm sure Mr. Baird is a great believer in accountability now that he has a new day in Ottawa, because he was part of a government that perpetrated this fraud, running around the province saying that everything was balanced. And then I hear from other members from the north and the rural areas and they tell us how bad things are.

Let's just deal with the facts in my own riding of Perth-Middlesex. When we were doing the finance subcommittee, I had a chance to talk to the three great economists we had in: Roger Martin, the dean of the Rotman School of Management; Warren Jestin, chief economist of Scotiabank; and Hugh Mackenzie, who is a research associate with the Canadian Centre for Policy Alternatives. I laid out for them, "Basically what you've said is that we've got ourselves in a pickle because previously we were cutting taxes"—now, who was doing that? Oh yes, that would be the previous government—"while we were still in deficit." So we ended up with a surplus of deficits. They told us infrastructure—fiscal, social and energy. That is what these learned gentlemen were telling us, that we have this surplus of deficits that was inherited.

Despite that, I vote for this budget quite simply because I know in my own riding, in Perth-Middlesex, when we took office, we were transferring, through our municipal partners, some \$22.5 million a year. Do you know how much we're transferring now?

**Interjections:** How much?

**Mr. Wilkinson:** The \$22 million plus \$8.4 million—37% more to my municipalities, and they're quite thankful. We just delivered a cheque for \$400,000 in Perth county to help upload land ambulance, something the previous government downloaded. Public health is now at 65%, going to 75%. It was at 50%. I just delivered \$9.3 million for needed roads and bridges in my riding.

Do you know what happened? The property taxes in Perth county are down. They're not up, they're down, because we're the uploaders, not the downloaders. That's not our history in this place. We're the uploaders. I know in the two hospitals in my own riding, in Stratford General Hospital we've announced \$20 million for redevelopment, and in Listowel Memorial Hospital we've announced \$7.8 million for redevelopment. Cranes are in the sky, holes in the ground. We have another nursing home, Knollcrest, being redeveloped, \$3.5 million; a new CAT scan at Stratford General Hospital, \$1.7 million; five family health teams. My God.

What I find interesting is Mr. Tory. Mr. Tory was quite interesting, and the members of the opposition were saying it yet again, that there wasn't enough money for farmers. But what is Mr. Tory's position? "That was not enough money, but if it had been up to me, I wouldn't have given them the money. I would have balanced the budget two years earlier." You can't have it both ways. When my farmers found out that the member from Dufferin-Peel-Wellington-Gray/Rosedale is running around in rural Ontario saying that somehow, "I'm your saviour," he has to explain the fact that, if given the choice, he told the press quite clearly, "I would not have given that money. We should not have done that. I wouldn't have given money for roads and bridges. I would have balanced early."

We all have to make choices. We'll all have to stand in this place and be counted on the budget. And you're either for it or agin it, as they say. There will be people standing up and clearly saying to everybody in their ridings that they're against the initiatives of our budget, and that will be quite interesting.

**The Acting Speaker:** It being 9:30 of the clock, this House stands adjourned until tomorrow at 1:30 p.m.

*The House adjourned at 2130.*



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No. 62

N° 62

ISSN 1180-2987

## Legislative Assembly of Ontario

Second Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 19 April 2006

Mercredi 19 avril 2006



Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 19 April 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 19 avril 2006

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### HIGHWAY 417

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):**

This is not the first time I have raised this issue, nor is it likely to be the last. Nevertheless, given the lack of response on the part of the McGuinty government and the Minister of Transportation, I must continue to draw attention to the issue of four-laning Highway 417 through Arnprior and beyond.

I would like the Minister of Transportation to know that, after recently meeting with his ministry officials to discuss the status of projects in my riding of Renfrew–Nipissing–Pembroke, I was not pleased with the fact that while the design work for the extension is ongoing, there is no commitment to its actual approval and construction in their current five-year plan.

I would like to ask the minister: When will your government realize that the residents of rural Ontario deserve a fair shake from their government? When will you realize that they have a right to the same economic opportunities afforded to those who live in the GTA?

I have spoken many times on the benefits that would follow the 417 extension. The economic boost that would result for people in my riding would go a long way towards raising their standard of living. So I say to the Minister of Transportation, you are not shy when it comes to collecting the gas tax from my constituents. Your government continues to take more and more from them, while it gives back less and less.

I have two things for the minister to ponder: Give us back our share of the gas tax, and build that road.

#### HYDRO RATES

**Mr. Michael Gravelle (Thunder Bay–Superior North):** Last week's announcement that Ontario residents will now be asked to pay more for their electricity was certainly not an easy decision to make. Any time you ask people to pay more for a product that they absolutely rely on, you can expect resistance, particularly from constituents already struggling to survive on fixed incomes.

Having said that, it's difficult to imagine how we could have continued to carry on adding additional debt

that would be left for generations to come to pay off. However, any additional costs are undeniably a burden for many of our disadvantaged citizens, and it is for that reason that I am grateful that \$100 million has been found to help low-income families deal with those increased costs.

But at a time when we are asking people to begin to pay the true cost of electricity, I find it absolutely frustrating that the federal government is imposing the goods and services tax on our hydro bills. Attached to a debt retirement charge which is neither a good nor a service, the GST is an unnecessary additional financial burden on hydro ratepayers, both residential and commercial, that should simply be removed—an appropriate action that would immediately lower all of our hydro bills.

I am pleased that Energy Minister Cansfield shares this view and is preparing to challenge the federal government over this imposed tax. Elimination of the GST from our hydro bills is long overdue. Considering the impact of other cost increases in the north, such as the price of gasoline for our vehicles, it is all the more vital that this unfair tax is removed immediately.

#### PLANT CLOSURE

**Mr. Ted Arnott (Waterloo–Wellington):** Along with my colleagues the members for Kitchener–Waterloo, Elizabeth Witmer, and Cambridge, Gerry Martiniuk, I want to express again in this House our deep concerns for the employees of B.F. Goodrich Tire in Kitchener.

Earlier this year, we were disappointed to learn that B.F. Goodrich Tire would be closing down its Kitchener plant this summer, eliminating the jobs of 1,100 workers. This was devastating news for our communities in Waterloo region, but it is the workers themselves and their families who now face the prospect of unemployment or reduced income when the plant closes its doors and locks its gates for the last time on July 22. These 1,100 workers aren't just statistics; they are the lifeblood of our community—our volunteers, our neighbours, our friends—and they need our vocal expressions of empathy and support as they enter this summer of economic uncertainty.

We have received countless letters from B.F. Goodrich employees, and I talked to the wife of one of them today. These letters ask for the help of the provincial government to stem the tide of manufacturing job losses—140,000 since July 2004.

I call upon the government today to act upon my jobs resolution, which has been before the House for 11

months now, and immediately develop an action plan to protect manufacturing jobs in Ontario.

#### HOWARD WHITWELL

**Ms. Jennifer F. Mossop (Stoney Creek):** When Howard Whitwell was born in Stoney Creek on January 15, 1919, it was a far different place than it is today. Then it was a community where a horse and wagon were as common as a car, and milk was delivered to your doorstep each morning. It was a community that he loved.

Beginning as a driver at the family-run Stoney Creek Fuel and Supply Co., he developed an understanding of his neighbours, both new and old, and found the purpose in his life through service—service to his country, his neighbours and his town.

He served Canada in the Royal Canadian Air Force during the Second World War, and it was there that he met his wife of over 60 years. Far from the place of his birth, he fell in love with a girl from Stoney Creek.

He served his neighbours as a businessman providing ice and fuel daily in the days before electric refrigerators and modern heating, and perhaps most importantly he served as mayor and as a member of council for Stoney Creek.

In the twilight of his life, he returned to the community that he loved so that he could spend time with his family, friends and his beloved wife. During that time, he marvelled at the growth in the city and he would beam with pride knowing that, despite great changes, Stoney Creek had retained that which made it so special to him: a close sense of community, an indomitable optimism and a consistent readiness to help those in need.

Today I am very proud to say that his family is here in the members' gallery: his daughter Marilyn and his grandsons Allan and David. They have brought to me his gavel and a photograph of him wearing the chain of office to return to his beloved home of Stoney Creek, which I will do with honour.

#### PREMIER OF ONTARIO

**Mr. Norm Miller (Parry Sound–Muskoka):** The people of North Bay must be wondering why they're being forgotten by the McGuinty Liberals. Last week, the Premier made it to North Bay. The only problem is, he thought he was in Sudbury. The headline of the North Bay Nugget after his visit reads: "Premier Unprepared for Visit: McGuinty Vague with Answers, Calls City by Wrong Name During Stop."

A review of recent news articles in North Bay demonstrates the frustration that city officials and councillors are feeling.

On April 11, the North Bay Nugget reads: "City Services May Have to Be Cut, CFO Says: North Bay Losing Because of Changes to Provincial Fund."

On April 13: "Sometimes 'Answers' Are Not Answers at All

"No one was expecting Premier Dalton McGuinty to share the meaning of life with reporters during his visit to North Bay last week.

"But some direct answers to some direct questions would have been nice."

And in today's North Bay Nugget, the headline is "Funding Shortfall Has City Ranting

"City councillors continued to flog the provincial funding issue Tuesday, venting for the umpteenth time their frustration with shortfalls under the Ontario municipal partnership fund..."

"We've got two options ... either the province comes to help or we're going to be facing massive cuts in services," Chirico said, noting the city has been trying to draw provincial attention to the issue for the past two years."

#### 1340

How has the province responded? Today's paper states that "little ground has been gained despite raising the issue with Nipissing MPP Monique Smith and other provincial officials."

#### THE BEACH

**Mr. Michael Prue (Beaches–East York):** The age-old question of eastern Toronto has finally been settled: Is it the Beach or the Beaches? Well, I'll tell you: It's been answered because 2,200 residents have cast their ballots and 58% of those have chosen "the Beach." People have asked me; people have telephoned and said, "How will that affect you? You are the member from Beaches–East York." The name is not going to change, nor are the names of the Beaches Business and Professionals Association, nor the Beaches BIA, nor the Beaches Jazz Festival, nor the plethora of other names of businesses in the Beach or Beaches, as you see fit. The people, of course, will continue to call their home, their residence and their neighbourhood what they will.

The vote, though, did decide one very important issue: The street signage along Queen Street will say "The Beach." In that regard, the Beach will be just like other communities in Toronto such as Greektown, Little Italy, Kensington and Chinatown, which all have their distinctive signs. That distinctive sign will now, of course, say "The Beach," but this will not change in any sense our community, with its wonderful restaurants, with its beautiful stores, with the best shopping street of any large city in Ontario, according to TVOntario. It will not change the jazz festival, the wonderful neighbours or the ambience along that area, which will forever be the four beaches of Toronto.

#### SHONA THORBURN

**Ms. Judy Marsales (Hamilton West):** I proudly rise in the House today to congratulate a young lady who has made the city of Hamilton proud. Shona Thorburn, a Westdale high school graduate, was drafted seventh overall in the Women's National Basketball Association



by the Minnesota Lynx. Shona is the first Ontario female basketball player ever drafted.

Ms. Thorburn started playing basketball at Dalewood public school, and the coach recognized her exceptional ability. Her love of the sport had her also playing with Hamilton's Transway basketball program. It's been a long journey for Shona. She played at Westdale high school—which, interestingly enough, is now celebrating its 75th anniversary—and Shona won three straight championships while at Westdale. Ms. Thorburn's hard work paid off, as she was rewarded with a basketball scholarship.

She began her tenure with the youth team's national program in 1998. She was a team member who participated in the World Youth Games in Moscow, went on to be co-captain of the 2000 junior team, and then joined the Canadian national team. In 2003, she participated and placed fourth in the Pan Am Games.

Hard work, dedication and support from family, friends, teammates and coaches have made this remarkable girl's dream come true. She would not have been successful if she didn't practise and play hard to the best of her ability. I want to congratulate Shona Thorburn for a job well done and thank her for putting Hamilton basketball on the world stage. Congratulations, Shona.

#### PUBLIC LIBRARIES

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** As a former teacher and avid reader, libraries are special places for me. In a properly stocked library, the world is literally at one's fingertips. As a youth growing up in a family of 12 kids, there wasn't a lot of money for books, so the local library was my way of accessing literature. It was also an invaluable resource for school projects, personal education and social interaction, as there were many activities that went on in the confines of the library.

Apparently, the last government didn't share that feeling. Whatever their motivation, the Conservatives didn't see the need to support Ontario libraries, literacy or other activities libraries presented to Ontarians of all ages. As a result, our libraries were allowed to decay, as were our roads, hospitals and schools, not to mention the provincial budget book.

Among the many past wrongs the McGuinty government is righting is the proper financing of our libraries. In particular, the recent strategic investment announced will go a long way in supporting family literacy and lifelong learning at small, rural, remote, First Nations and franco-phone public libraries, traits which are all present in my riding, as they are in many ridings across the province.

For my riding specifically, the Stormont, Dundas and Glengarry County Library board is receiving \$199,500. This will go a long way to fixing the damage done in the past and improving literacy rates. By supporting Ontario library services, this government is providing for the people of the province. What could we ask for? We have delivered.

#### EASTER OBSERVANCE

**Mr. Mario Sergio (York West):** I have a statement. First of all, I have to find it because I just got here.

On a point of order, Mr. Speaker: I would like to do my statement and wear this wonderful jacket, which commemorates an event that took place this past week. I would like to have unanimous consent.

**Mr. Peter Kormos (Niagara Centre):** To that point, Mr. Speaker: To my colleague in the government backbenches, you don't need permission from this Legislature to wear the clothing of your choice.

**The Speaker (Hon. Michael A. Brown):** Mr. Sergio has asked for unanimous consent. Agreed? Agreed.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** On a point of order, Mr. Speaker: My question to you is, every time someone wishes to have something that would be a little different in terms of what you would consider a demonstration, will that require the permission of the House to do so or will you simply rule? For instance, if I were to walk in with one of those jackets on, would I need permission or not?

**The Speaker:** The Chair really doesn't want to be Mr. Blackstone on these kinds of issues. Provided they are suitable to everyday attire here in Ontario, I think they would be appropriate; however, it is always advisable that a member seek consent of his or her colleagues in this situation.

**Mr. Gilles Bisson (Timmins–James Bay):** On that point of order, Mr. Speaker: I would certainly hope that we don't need a point of order to dress in the traditional dress of any nationality in this province, including First Nations.

**The Speaker:** I think I've previously made a ruling. The member for York West.

**Mr. Sergio:** I want to thank the House for the understanding they have shown with respect to the occasion.

In light of the holy Easter season, 150 Christian leaders and business people, representing the 8.4 million Christians in the province of Ontario, gathered in the Legislature last Thursday to prayerfully support and encourage us as government leaders in our service to this province and country. Deputy Grand Chief Kenny Blacksmith was joined by another First Nations leader, Barry Maracle, to bring blessings from his people. Among the many gifts they came to honour the government with, they brought a beautiful handcrafted clock for the Premier, shrouded by two auspicious eagles, with their wings outstretched and touching. The clock was a symbol, they explained, that it was time for the First Nations and the government to walk together in courage, boldness, peace and unity.

I know you are wondering about this delightful leather vest. Yes, you are right. It not only makes me look younger; it represents the First Nations' covering, prayers and blessings over us. This is something I shall always truly treasure.

Easter is the celebration of the Lord Jesus Christ's resurrection from the dead. It is a message of hope, life and second chances. We take our promise from Isaiah 55, the theme of last Thursday morning: "Instead of the thornbush will grow the pine tree, and instead of the briers the myrtle will grow. This will be for the Lord's renown," for our government.

1350

### VISITORS

**Mr. Frank Klees (Oak Ridges):** On a point of order, Mr. Speaker: I want to extend a special welcome to Alyssa Surani, who is in the west gallery—she is a grade 7 student at Silverstream Public School in Richmond Hill—and her grandmother, Mrs. Rose Surani. Please join me in welcoming them to Queen's Park.

**Ms. Judy Marsales (Hamilton West):** On a point of order, Mr. Speaker: I would like to extend a warm welcome to my mother, Noella Laurence, who is a tribute to this country's great health care system, visiting us from Winnipeg.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that today the Clerk received the report on intended appointments dated April 19, 2006, of the standing committee on government agencies. Pursuant to standing order 106(e)(9), the report is deemed to be adopted by the House.

#### STANDING COMMITTEE ON ESTIMATES

**Ms. Andrea Horwath (Hamilton East):** Pursuant to standing order 59(a) and 60(a), I beg leave to present a report from the standing committee on estimates on the estimates selected and not selected by the standing committee for consideration.

**The Acting Clerk-at-the-Table (Ms. Tonia Grannum):** Ms. Horwath from the standing committee on estimates presents the committee's report as follows:

Pursuant to standing order 59, your committee has selected the estimates 2006-07 of the following ministries and offices for consideration:

Ministry of Education: nine hours;

Ministry of Community and Social Services: six hours;

Ministry of Finance: eight hours;

Ministry of Health and Long-Term Care: seven hours;

Ministry of Health Promotion: seven hours, 30 minutes;

Ministry of Intergovernmental Affairs: seven hours, 30 minutes;

Ministry of the Environment: seven hours, 30 minutes;

Ministry of Children and Youth Services: seven hours, 30 minutes;

Ministry of Energy: nine hours;

Ministry of Municipal Affairs and Housing: six hours;

Ministry of Training, Colleges and Universities: seven hours, 30 minutes;

Ministry of Public Infrastructure Renewal: seven hours, 30 minutes.

Pursuant to standing order 60, the estimates 2006-07 of the following ministries and offices not selected for consideration are—

**Ms. Horwath:** Dispense.

**The Speaker (Hon. Michael A. Brown):** Dispense? Dispense.

Pursuant to standing order 60(b), the report of the committee is deemed to be received and the estimates of the ministries and offices named therein as not being selected for consideration by the committee are deemed to be concurred in.

### INTRODUCTION OF BILLS

#### INDEPENDENT POLICE REVIEW ACT, 2006

#### LOI DE 2006 SUR L'EXAMEN INDÉPENDANT DE LA POLICE

Mr. Bryant moved first reading of the following bill:

Bill 103, An Act to establish an Independent Police Review Director and create a new public complaints process by amending the Police Services Act / Projet de loi 103, Loi visant à créer le poste de directeur indépendant d'examen de la police et à créer une nouvelle procédure de traitement des plaintes du public en modifiant la Loi sur les services policiers.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

Does the minister wish to make a brief statement?

**Hon. Michael Bryant (Attorney General):** I'll defer my comments to ministerial statements.

### MOTIONS

#### HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Wednesday, April 19, 2006, for the purpose of considering government business.



**The Speaker (Hon. Michael A. Brown):** Mr. Bradley has moved government notice of motion 105. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1355 to 1400.*

**The Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted	Lalonde, Jean-Marc	Qaadri, Shafiq
Balkissoon, Bas	Leal, Jeff	Ramal, Khalil
Bartolucci, Rick	Levac, Dave	Rinaldi, Lou
Bentley, Christopher	MacLeod, Lisa	Runciman, Robert W.
Berardinetti, Lorenzo	Marsales, Judy	Ruprecht, Tony
Bradley, James J.	Martiniuk, Gerry	Sandals, Liz
Bryant, Michael	Matthews, Deborah	Scott, Laurie
Caplan, David	Mauro, Bill	Sergio, Mario
Chambers, Mary Anne V.	McMeekin, Ted	Smith, Monique
Chudleigh, Ted	Meilleur, Madeleine	Smitherman, George
Colle, Mike	Miller, Norm	Sorbara, Gregory S.
Cordiano, Joseph	Milloy, John	Sterling, Norman W.
Crozier, Bruce	Mitchell, Carol	Tory, John
Di Cocco, Caroline	Mossop, Jennifer F.	Watson, Jim
Dombrowsky, Leona	Munro, Julia	Wilkinson, John
Duguid, Brad	O'Toole, John	Witmer, Elizabeth
Elliott, Christine	Oraziotti, David	Wong, Tony C.
Gravelle, Michael	Ouellette, Jerry J.	Wynne, Kathleen O.
Hardeman, Ernie	Parsons, Ernie	Yakubuski, John
Hoy, Pat	Patten, Richard	Zimmer, David
Jackson, Cameron	Peters, Steve	
Klees, Frank	Phillips, Gerry	

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Bisson, Gilles	Kormos, Peter	Prue, Michael
Horwath, Andrea	Marchese, Rosario	Tabuns, Peter

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 64; the nays are 6.

**The Speaker:** I declare the motion carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### POLICE REVIEW SYSTEM

### SYSTÈME D'EXAMEN DE LA POLICE

**Hon. Michael Bryant (Attorney General):** I rise in the House today to introduce legislation that, if passed, would entrench an independent and transparent police review system.

A strong police review system that is equitable and effective for both the public and the police is important to the people of Ontario and is a critical component in a civil society that maintains people's high confidence in police services. According to a 2003 Statistics Canada

study, more than 80% of the Canadian public say they have confidence in our police, and so they should.

If passed, the Independent Police Review Act, 2006, would provide the public with a new and significant option for bringing forward their concerns to an independent civilian director of police review. At the same time, the legislation will ensure that there is a fair, sensible and clear system that does not weigh down police with frivolous complaints or otherwise interfere with our police services' ability to keep our streets safe. This is not a return to the cumbersome; it is rather a step forward.

The centrepiece of the proposed legislation is an independent civilian body led by an independent review director, who would be responsible for the intake and initial screening of police complaints.

The availability of an independent body to which concerns can be brought would be a significant new option for the public. However, under the proposed system, if a member of the public wants to deal directly with the police service involved, they will still have that choice.

We anticipate that local police services will continue to play a key and vital role in resolving Ontarians' concerns and complaints about policing. Complaints by third parties would be allowed where certain legislative criteria are met.

This legislation would allow the director to determine, on a case-by-case basis, who would be responsible for investigating a complaint. The director could investigate the complaint or refer the complaint to the police service involved or another police service for investigation.

If passed, the legislation would subject the parties to a hearing process only where there are reasonable grounds to believe that there is misconduct. Furthermore, all parties would benefit from the establishment of standards for the people responsible for presiding over such a hearing.

Nous avons apporté un soin particulier à la rédaction de ce projet de loi. Notre gouvernement savait depuis le départ qu'il s'agissait d'une question extrêmement complexe.

*Applause.*

**Hon. Mr. Bryant:** Order.

We decided that this was an issue that required careful thought and extensive review. We appointed the Honourable Patrick LeSage, former Chief Justice of the Superior Court of Ontario and former chief prosecutor of Ontario, to lead a formal and independent review. Justice LeSage was asked to explore a range of perspectives and identify ways to improve the current way public complaints about the police are handled to ensure that a new system would be fair, effective and transparent.

I would like to take this opportunity to once again express our government's and the public's thanks to His Honour Mr. LeSage, not only for agreeing to take on this difficult assignment but also for his very thorough review and his balanced and insightful report on the matter.

*Applause.*

**Hon. Mr. Bryant:** Hear, hear.

In addition to reviewing over 100 written submissions from the public and holding public meetings across the province, Justice LeSage travelled across the province to meet personally with hundreds of groups and individuals representing police, community groups and the general public. After months of consultation and review, Justice LeSage submitted his report, including a number of recommendations. The legislation I am introducing today is based on former Chief Justice LeSage's well-thought-out and excellent recommendations, and implements his report.

The report recommended the creation of an independent body to administer the police review system that we are introducing today. My colleague across the way, the member for Niagara Centre, called His Honour Justice LeSage's report "a tremendous effort," and I certainly agree with him. It was a tremendous effort, distilling a number of views and a number of opinions from a number of people, in addition to considering a number of different models and providing recommendations in a thorough, careful and straightforward way, in language that was extremely helpful and accessible to the public and implementable by a government.

After reviewing the report, I met with many, many key stakeholder groups: chiefs of police, various police associations and many community groups. We discussed Justice LeSage's recommendations at length and, after this consultation, drafted the legislation that is being introduced today.

In order for a police review system to work, it has to have the confidence of the public and the confidence and respect of the police. It's a delicate balance. Since the 1970s, successive governments have attempted to strike that balance. A strong and independent police review system that is fair and effective for both the police and the public is what Ontarians deserve and what will be achieved if this bill is passed.

1410

## CANCER PREVENTION PRÉVENTION DU CANCER

**Hon. Jim Watson (Minister of Health Promotion):** I rise in the House today in the middle of what is known as Daffodil Month to acknowledge this week as the first-ever Cancer Prevention Week, as designated by the Canadian Cancer Society. Many of us have taken special care to wear a daffodil pin or a yellow ribbon, to purchase daffodils or participate in a drive to raise money and awareness of the issues related to cancer and cancer prevention this month.

We, as a government, are only weeks away from delivering our promise to protect people from the effects of second-hand smoke in the workplace and in public places.

Je suis fier de mettre cette loi de l'avant et je serai de retour dans quelques semaines devant cette Assemblée pour lui faire part des progrès que nous aurons accomplis

dans la mise en oeuvre de la loi pour une Ontario sans fumée, le 31 mai.

Tobacco consumption is responsible for over 30% of all cancers, and we are confident that with the combination of Smoke-Free Ontario, measures to prevent youth from smoking and assistance we are providing to smokers who wish to quit, we will be helping to prevent cancer in this province.

Sadly, one in three Canadians will develop cancer in their lifetime. I doubt there is one of us in this assembly who does not know someone—a mother, a father, a son, a daughter, a friend or a neighbour—who has been affected by cancer. In fact, it's the leading cause of illness and death in Ontario. But, amazingly, about 50% of cancers are preventable, according to Cancer Care Ontario.

Members of the House will be hearing more over the next weeks on the actions my ministry has taken and will be taking with regard to further cancer and chronic disease prevention. This community-based approach is the only way that together we will make a difference in preventing cancer. The goal of our ministry is to provide leadership and resources to help individuals and communities take responsibility for their health, and our healthy active living strategy is going to assist in that regard.

À ce jour, nous avons donc posé de solides fondations sur lesquelles nous assoirons nos prochaines mesures. Depuis que je dirige le ministère de la Promotion de la santé, nous invitons pour la troisième fois les organismes à nous soumettre des projets dans le cadre du Fonds communautés actives.

These grants are effectively encouraging individuals, families and community groups to become physically active, a key component in preventing a number of cancers.

We have been consulting heavily with Ontario's fruit and vegetable growers. Having access to fresh produce for meals and snacks is an important component of healthy living and a key strategy for cancer prevention.

I would be remiss if I didn't take this opportunity to point out that preventing cancer is not a solitary battle. The Canadian Cancer Society and its legion of volunteers have worked tirelessly as a partner with government initiatives, but also as an independently minded advocate for public policy over the years. They have also worked very hard in communities across the province to bring awareness on cancer prevention; to raise money for research, both scientific and behavioural; and to provide programs and support for patients who have cancers.

We all know in our own ridings the many dedicated men and women in our communities who organize a Cancer Society fundraiser or sell daffodils in the mall or drive cancer patients to their chemotherapy treatments. On behalf of Premier McGuinty and, I believe, all members of the Legislature, we say thank you to our volunteers as we celebrate Cancer Prevention Week.

If we do not collectively take action and as well promote individual responsibility, we will overtake the capacity of the health care system to respond. Our gov-



ernment is taking action to aid in the fight to prevent cancer, and it's together that we will make significant strides. I look ahead and see great possibilities for progress on this issue.

Comme la Société canadienne du cancer s'est avérée un partenaire efficace, j'espère pouvoir continuer à compter sur sa collaboration et sur ses conseils.

Joining us in the gallery are Danielle Paterson and Amanda Kusick from the Canadian Cancer Society. I'd ask members to give them a warm welcome for the work they do.

I would also like to commend the president of the Canadian Cancer Society, Mr. Peter Goodhand, who does so much good work and sits on my campaign cabinet for a smoke-free Ontario, along with about a dozen other individuals, giving us advice as we head toward the May 31 implementation date of Smoke-Free Ontario.

I ask members of the House to join me in spreading the message of Cancer Prevention Week and the steps we all take to be healthier individuals: becoming a non-smoker; eating a healthy diet, including fresh fruit and vegetables every day. Be physically active on a regular basis, follow cancer screening guidelines and take part in some of the wonderful cancer society fundraisers. Many of us have the opportunity of having a Relay for Life, which is a celebration of life. I know that people like Lee Near—I know the Leader of the Opposition knows Lee Near very well from Rockcliffe village. She has done great work promoting the Relay for Life when it was first brought to Ottawa a few years ago.

Preventing cancer is the primary way to fight this disease, and we all have a role to play. I again thank the Canadian Cancer Society for bringing this new initiative to the forefront. I thank them very much for the work they do, as we work in partnership to bring Smoke-Free Ontario to the province of Ontario.

**The Speaker (Hon. Michael A. Brown):** Responses?

#### POLICE REVIEW SYSTEM

**Mr. Robert W. Runciman (Leeds–Grenville):** In terms of the official opposition and the Attorney General's announcement today with respect to new police complaints processes in the province, we're approaching that with a degree of trepidation, primarily because we believe the current system, which has been in effect for about 10 years, has worked reasonably well, with some problems that the former government was in the process of addressing, primarily in terms of outreach to a variety of communities across the province. But essentially, the system that was developed and is in place at the moment was brought into force through extensive consultation with stakeholders, and certainly with the police organizations and front-line police officers.

I have to say that my concern is having some input with respect to the impact on front-line police officers. What's this going to mean in terms of police morale? What's this going to mean in terms of red tape? What's

this going to mean in terms of taking police officers off the streets on a more regular basis?

I'll give you an example. I've talked about police red tape. I was having lunch with a former police officer today, and we were talking about police red tape and the search warrant application to search the home of the individual found responsible for the murder of Holly Jones. That application was 800 pages—an 800-page application. That's the sort of bureaucratic nightmare that we've created in this province in a whole range of areas for the men and women in blue who try to protect our communities on a regular basis. And I am concerned about this initiative.

The Attorney General has included the ability for third party complaints. I'm not sure anyone appreciates the impact that could have. That means someone not engaged or involved in an incident, perhaps two blocks away and thinks they saw something, could now file a complaint against a police officer and leave that individual, that officer, who may be a hard-working, dedicated individual, twisting in the wind while this complaint goes through this bureaucratic morass that the Attorney General is creating.

I haven't had an opportunity to review the legislation, whether he's accepting all the recommendations. I know Justice LeSage talked about regional offices as well. I'm not sure if that's being incorporated. But again, that's another layer of bureaucracy, which we know the Liberals love: developing bureaucracy at great expense to taxpayers.

I'm not sure that Justice LeSage made—there's reference here to a number of meetings. I have one—perhaps an oversight. I'm not sure about the meeting with the editorial board of the Toronto Star, but undoubtedly that occurred, because I think a lot of these changes have been driven by the position taken under the former government with respect to police complaints in Toronto and perceived problems in the city of Toronto. Again, I think it reflects the Toronto-centric mentality of this government, where we have changes being brought forward that have an impact right across the province on police services and hard-working men and women in our police services. So I think those are considerations that have to be considered.

Again, it's a reflection of basic Liberal philosophy: They don't trust policemen and policewomen in this province. That's a basic Liberal philosophy, and we're going to hold them to account on this, and we will get the truth with respect to the impact on men and women who represent us so well in police communities across Ontario.

1420

#### CANCER PREVENTION

**Mr. Norman W. Sterling (Lanark–Carleton):** Our party would like to add its comments to the minister's with regard to the prevention of cancer. It is with some sadness, however: The one third of our population who



do contract this terrible disease cannot get surgery in time. In fact, cancer surgery times have increased anywhere from 10% to 80% across Ontario under this government's rule.

Notwithstanding that, we add our voices with regard to support for controlling smoking in the workplace. I had the pleasure of introducing the first bill to do that in 1985. The Liberal government from 1985 to 1989 were dragged kicking and screaming and finally brought forward a bill in 1989 after I had introduced seven private member's bills to do that. It's great to have these recent converts to this policy of our party.

I would like to congratulate the Canadian Cancer Society on all their work, and the volunteers who help them so much.

### POLICE REVIEW SYSTEM

**Mr. Peter Kormos (Niagara Centre):** New Democrats welcome the opportunity to debate and review the civilian complaints review process.

In a free and democratic society, in a society where the rule of law prevails, police are held to an incredibly high and taxing standard. That is the way it has to be. I don't envy police officers out there, working on our streets in communities across this province, who have incredibly challenging tasks to perform, who have to deal with some of the most dangerous people in our society and who are at the same time put to the test on a daily basis with respect to the standards that are set for them.

We in the New Democratic Party hold Judge LeSage in the greatest of regard and, yes, without hesitation view his report as the result of tremendous effort.

Why did you sit on it for a year? We should have been embarking on this debate 12 months ago when the report was prepared.

I want this Attorney General to understand very, very clearly that we in the NDP don't believe you can draft legislation—least of all legislation like this—by fiat. There has to be a broad-based public debate.

So I say to you, Attorney General, that if you have been cautious enough about this to have had the report and considered it for the last 11 or 12 months, we should be cautious enough to ensure that there is a thorough debate and analysis of your legislation in the course of this legislative process and that there are public hearings, that there is a healthy, vigorous, inclusive debate.

I'm sure you did consult police associations and chiefs of police and any number of community groups that deal with concerns out there on the street. I'm not sure that all of them necessarily agree with the legislation you have drafted. We are not afraid of the debate. We are not afraid of the discussion. We are not afraid of hearing what will be diverse points of view and oftentimes conflicting interests being encountered in that committee room, both here at Queen's Park and in the committee rooms that I insist have to occur across the province.

If you really have concern about the standards of policing and ensuring rigorous propriety on the part of

police, let's ensure that they are adequately staffed, that they're adequately resourced, that they're adequately trained. Travel up to places like Peawanuk or Attawapiskat or Marten Falls in the riding of Timmins-James Bay with the member, like I have, and look at police forces with dedicated, hard-working women and men in the native police services who are working with broken tools, who are working with no resources, never mind minimal resources, who are working with little more than basic training because their communities can't afford to send them down to places like Aylmer and Ottawa with the RCMP, where that kind of training takes place.

Yes, police have to be held to high standards. But, by God, if we're going to hold them to high standards, let's make sure that we give them the support, the tools and the resources that they need to perform their jobs safely and effectively and in accordance with rigorous standards.

### CANCER PREVENTION

#### PRÉVENTION DU CANCER

**Mr. Gilles Bisson (Timmins-James Bay):** I applaud him. That was very good.

I want to say the following. On se joint au gouvernement sur son annonce aujourd'hui qui dit qu'ils veulent tout faire pour être capables de prévenir le cancer dans notre province. Je pense qu'il n'y a pas un député dans cette Assemblée qui va dire le contraire.

Mais je rappelle au ministre que c'est le même Parti libéral qui est aujourd'hui le gouvernement, et qui était dans l'opposition dans le passé, qui avait fait des promesses qui étaient pas mal claires en opposition pour être capable d'assister sur cette question : par exemple, toute la question du cancer du colon. On sait que 17 % du monde présentement qui ont le cancer, qui aurait été vérifié avec des tests spéciaux pour le cancer du colon, auraient pu prévenir ce cancer et survivre jusqu'à cette date. Mais le gouvernement a promis dans la dernière élection qu'ils étaient pour faire quelque chose, qu'ils étaient pour s'organiser pour que ces tests soient mandatoires. On se trouve aujourd'hui trois ans et demi dans le mandat de ce gouvernement et on n'a pas gardé cette promesse avec la population ontarienne.

Donc, on rappelle au gouvernement que c'est bien beau de dire de belles affaires—

**The Speaker (Hon. Michael A. Brown):** Thank you.

### VISITORS

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** On a point of order, Mr. Speaker: I want to introduce the kids from Charles Gordon Senior Public School who are here in the west gallery with their teacher, Dixon Brown, Forman Garber, and Laurence Dawkins. Can we give them a nice, warm welcome.

**The Speaker (Hon. Michael A. Brown):** Thank you. That's not a point of order, but welcome.



## ORAL QUESTIONS

### CRIMINAL INJURIES COMPENSATION BOARD

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. Could you tell us, Premier, what the current financial status is—the balance is what I'm looking for—for the victims' justice fund?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I'll refer that to the Attorney General.

**Hon. Michael Bryant (Attorney General):** I want the member to know and I know he'll be pleased to learn that, come October 2007, this government will have spent twice the amount in our four years that the previous government spent in eight years from the victims' justice fund.

It is very important that people understand that the victims' justice fund is administered under a system that takes into account regional input and requires us to assess the many valid and important applications that are made. Yes, there needs to be due process to ensure that those who apply for the victims' justice fund get appropriate consideration, but you need to be able to get that money out to serve victims, and that's what this government is doing.

**Mr. Tory:** In that self-congratulatory response, there wasn't an answer. I'll suggest the answer is \$40 million, which is the amount that's sitting in that fund that is not being used effectively to represent the interests of victims of crime.

The Toronto Sun last week in an article referred to how "our Criminal Injuries Compensation Board is hopelessly backlogged, pays a pittance, sometimes takes years to pay out, and during that long and arduous process, often offends, frustrates and revictimizes crime victims." With the exception of last week's front-page story, in almost all cases criminals are unable to pay satisfactory restitution to victims. Therefore, the system needs to run effectively and smoothly if the victims are to have any realistic opportunity of having a change brought about in their lives as a result of the activities of criminals.

Why are you ignoring the needs of victims? Why are you allowing victims to themselves be victimized by a system that is backlogged and broken down and not working?

**Hon. Mr. Bryant:** I want to address the issue that the member mentioned with respect to what happened last week in the courts and the decision of Mr. Justice Watt in the supplementary. But I know the member will be pleased to learn that this government, through the victims' justice fund, has invested \$13 million in 200 community-based agencies through victim services grants to support a wide variety of projects. We have projects supporting victims of sexual abuse. We in fact increased the funding for sexual assault centres by some 10% last year. It was the first such increase to sexual assault centres that they had seen since 1995. I think

that's a year the member is familiar with. We invested money for software to assist students to learn how to work online and be safe online and to protect themselves from Internet stalkers; \$2 million in increased funding to the—

**The Speaker (Hon. Michael A. Brown):** Thank you. Final supplementary.

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**Mr. Tory:** Again, there was really not an answer given. But what has also happened is that the McGuinty government has all but eliminated the Office for Victims of Crime. The victims unit has basically been shut down, and now we're hearing an answering machine when people call there for help rather than talking to a human being. John Muise, a member of the Toronto Police Service for more than 26 years, is the one who complained to the Toronto Sun that you and your government changed the status of the Office for Victims of Crime from full-time to part-time status. How is this system supposed to effectively manage the needs of victims when there is no one there to answer the phone, when the Criminal Injuries Compensation Board is hopelessly backlogged and overloaded and it takes years to pay out, and even when it does pay out, it pays out a pittance?

My question is this: Will you agree at this point in time to take the provisions that are currently in place and agree to a full review of those provisions, including timing, service, compensation levels and so on? It's time for a review. These things have been in place for a while. Will you agree to that kind of a review so we can really help the victims?

**Hon. Mr. Bryant:** It's true; this government inherited a victims' justice fund system that really was not in existence. I say again to the member opposite, the money has been committed. The surplus has been committed. It is going to places like the communities of Lanark, Leeds and Grenville counties—\$240,000 annually to the victim crisis assistance and referral centres.

The member mentions victims' compensation. He will know that last week Priscilla de Villiers said of the result involving compensation directly to Louise Russo that, "This is a red-letter day for victims." It's something that victim advocates have been asking for for a long time.

The member opposite and his party seem to take an approach to victim services that is the lowest-common-denominator approach, which is to say that if all victims cannot obtain the result that Ms. Russo did, then none should. We say, that's wrong. He doesn't accept the fact that Mr. Justice Watt provided an independent judgment, but I do.

I would also remind the member of what one Mr. Rosen said last week of his justice critic with respect to his comments—

**The Speaker:** Thank you. New question.

### HOSPITAL SERVICES

**Mr. John Tory (Leader of the Opposition):** My question again is to the Premier. Ontarians want a health care system where they're receiving the right care at the



right time. Can you explain to me why cancer surgery wait times at the Ottawa Hospital are up 26% since last July, after you promised the people of Ottawa that wait times would be shorter under your watch?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Health.

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I've noted a recent fascination on the part of the honourable member with some numbers, but I wanted today to use the opportunity to put a few more on the record. As an example, with respect to cancer surgery wait times on a per-LHIN basis, in Central LHIN, they've gone down by 8.3%; in Central East by 3.7%; in Mississauga-Halton by 19.2%, and I have more. In the Champlain LHIN, angiography waits are down by 6%; angioplasty down by 40%; bypass surgery down by 5.6%; hip replacements by 19.4%.

All across Ontario, there are more than 700,000 hits on our website from Ontarians who for the first time are celebrating the fact that they can gain important information. This is a renewal of health care that's essential. We inherited from that government the capacity not even to measure the number of cancer surgeries that were being provided.

**The Speaker (Hon. Michael A. Brown):** Supplementary.

**Ms. Lisa MacLeod (Nepean-Carleton):** These numbers don't lie. The data are straight from your own wait times website. Despite Ontarians paying more, they're always getting less.

Let's talk about two hospitals that serve my constituency, the Premier's and the parliamentary secretary's from Ottawa West-Nepean. Cancer surgery wait times at the Montfort Hospital are up 51% since last July. And let's look at the Queensway Carleton Hospital, where cancer surgery wait times are up 25%.

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** I want to personally welcome you to the House.

**Ms. MacLeod:** Thank you.

Minister, you're continuing to make Ontarians get more—pay more and get less when it comes to cancer surgery waits. Why does your government continue to break its promises for wait times in the city of Ottawa?

**Hon. Mr. Smitherman:** It really is a privilege to welcome a member whose first question sounded so much like mine, and emanating from a very familiar part of the Legislature. I do welcome the honourable member.

I want to say that I thought it was interesting that as she read off her question, she still couldn't lift the words off the page without saying and recognizing that Ontarians are getting more, that, across the breadth of health care investments, from the \$2.4 billion that you promised to cut, Ontarians are getting more. So we've got community health centres coming to life all over Ontario, newborn screening capacity that didn't exist, free vaccinations—a \$1.3-billion investment.

*Interjections.*

**Hon. Mr. Smitherman:** To the very direct question that the honourable member attempts to heckle through

the answer, with respect to Champlain, an area of the province that was left behind for MRIs, the Champlain district now reports the third-lowest wait for MRIs in Ontario, a 35% increase, because your party—

**The Speaker:** Thank you. Final supplementary. The Leader of the Opposition.

**Mr. Tory:** Of course, no answer—

*Interjections.*

**The Speaker:** Stop the clock. Order. I can wait. Final supplementary.

**Mr. Tory:** So we have no answer on the Montfort Hospital's 51% cancer surgery wait times; no answer on Queensway Carleton, up 25% since last July—

*Interjections.*

**The Speaker:** Stop the clock. The member from Prince Edward-Hastings isn't in his seat.

We really do need to have some respect for people asking questions in this place. We really do need to have quiet when other people are speaking. The Leader of the Opposition.

**Mr. Tory:** The minister raised the Champlain LHIN, and of course, the champion cherry picker again gave us some numbers that suited his case. But let's talk about the 27% increase to cancer surgery wait times within the Champlain LHIN, covering the communities of Ottawa, Pembroke, Hawkesbury, Cornwall and Winchester. People want a system that gives the right care at the right time, and they've had enough of paying more of the McGuinty health tax and getting less in terms of this kind of increase in wait times. What do you have to say about that number from the Champlain LHIN, a 27% increase in cancer surgery wait time on your watch? What about it?

**Hon. Mr. Smitherman:** Here's the reality for the honourable member. Firstly, you should stand in your place, and every time you say "Montfort Hospital," you should look across the way here and congratulate a government, unlike the one you're part of—in name, at least—where you had a plan to close the whole darn thing. We've doubled the size. When you look across the way, you should talk about MRIs, because your party has a sorry history of ignoring Ottawa. Under our watch, we've reduced by 35% the wait times for MRIs in the Champlain LHIN.

On the issue of cancer surgeries, there's a slight increase of 3.4%, contrasted by angiography down by 6%, angioplasty down by 40%, bypass surgery down by 5.6%, cataract surgery by 8.8%, hip replacement by 19.4%, knee replacement by 25%, CT scan by 17.4%.

The evidence is there for people all across the breadth of Ontario. Our dedication to reductions in wait times is having results. Over 700,000 people have logged on to the website—

**The Speaker:** Thank you. New question.

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## NUCLEAR ENERGY

**Mr. Peter Tabuns (Toronto-Danforth):** My question is for Premier McGuinty. New Democrats oppose



new nuclear power plants because nuclear plants have proven to be expensive, unreliable, dirty and dangerous. This morning, you said nuclear power is the best option for Ontario's energy future. If you really believe that, why are you delaying announcing new nuclear plants for Ontario until after April 26, the 20th anniversary of the Chernobyl nuclear disaster?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I'm pleased to take the question and to make it clear to the member opposite that I did not in fact say what he reported I said. I'll be pleased to provide him with a copy of the transcript. What I did say was that it's really important for all of us to be sober-minded when considering our energy options. There's no neat and tidy solution. Everything has some kind of downside associated with it.

We are exploiting our hydroelectric potential to the max. There is some remaining run-of-the-river stuff that we are getting at now. I think the member opposite knows that when it comes to natural gas, prices there tend to be volatile, and it remains a significant contributor to global warming. Wind turbines: We are investing heavily in those, but again, those are an expensive form of electricity and they're not reliable, because sometimes obviously the wind does not blow. When it comes to solar, those tend to be expensive as well. So we think it's important that we keep new nuclear as an available option for us to consider, which we are doing.

**Mr. Tabuns:** You are delaying your nuclear announcement until after Chernobyl's 20th anniversary because that accident raises serious questions about nuclear power safety.

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** I need to be able to hear the question from the member for Toronto-Danforth. I'm sure all members would like to hear the question. The member for Toronto-Danforth.

**Mr. Tabuns:** When people remember Chernobyl, they remember the worst nuclear plant accident in history: 200,000 people were forced to flee a toxic plume of radioactive fallout; large swathes of land were badly contaminated, rendered dangerous and desolate; a death toll that could reach 93,000 people.

If you believe new nuclear power is accident-proof, can you give this province an ironclad guarantee that an accident like Chernobyl will never happen in Ontario?

**Hon. Mr. McGuinty:** I think to make a comparison between Ontario's Candu technology and the technology deployed in Russia some 25 years ago, where an unfortunate incident occurred to the people living in the community of Chernobyl, is irresponsible. We have a different kind of technology here, and the member opposite knows that.

But we're not just sitting on our hands as we weigh these important issues before us. Let me tell you about some of the exciting news that we have by way of creating new wind farms in Ontario. We've announced three new wind farms in the last month alone. At Erie Shores, there's a new wind farm with 66 turbines producing 99

megawatts of power for 25,000 homes. The first phase of a new wind farm outside Goderich is now up. That's 22 turbines producing enough power for 12,000 homes. And the first phase of a new wind farm is now up outside Shelburne, Ontario: 45 turbines producing 67.5 megawatts. That's enough to power 18,000 homes.

We are not fixated or obsessed on the nuclear option. We think it's important to be sober in considering our alternatives, but we're moving ahead in important areas like renewables, like wind power in Ontario.

**Mr. Tabuns:** Chernobyl taught the world that nuclear accidents happen, and when they do, they have tragic consequences for the environment and for human health. You want to run away from that legacy. But when it come to Ontario and building new nuclear power plants here, surely the Premier wants to be up front about the potential risks to people and communities here.

Does the government have any emergency plans, briefing notes or studies that assess the impact of a potential nuclear accident in Ontario and, if so, will the Premier table them in the Legislature today?

**Hon. Mr. McGuinty:** Again, I think it is truly unfortunate that the honourable member would compare the Chernobyl technology with Canada's Candu technology; I think that is unfortunate. We've had technology in place here for some 30 years. There has been nothing even approaching what unfortunately happened in Chernobyl. There are some downsides connected with nuclear, there's no doubt about it, and that's the waste. The upside is that it does not contribute to global warming and there are no toxic emissions. But there is waste associated with it. The upside to that, of course, is that we have found a way to contain it on-site, but, as I've been very honest with the people of Ontario, you've got to contain that for at least 1,000 years. That's a real challenge; we understand that.

Again, the point I make to all members but particularly to the people of Ontario, is that there are no easy solutions to our energy challenges. But we will continue to grapple with this. We will explore all the alternatives. We will act responsibly. We will ensure that we have an adequate supply of clean, affordable electricity in the province—

**The Speaker:** Thank you. New question.

#### GASOLINE PRICES

**Mr. Gilles Bisson (Timmins-James Bay):** I've got a question to the Premier of Ontario. Last fall, due to high gas prices, I held a province-wide Pump Shock tour. I met a lot of people. They were pretty angry about the price of gas and how they were being ripped off last fall, as the price of gas went up to as high as \$1.40 a litre.

Things were bad back then, but they're getting a lot worse now. Maybe you can't tell from the back of your limo, but these days, people are being forced to pay up to \$1.10 or more for a litre of gas.

Premier, I have a simple question for you: When are you going to stand up for drivers and do something about the rising gas prices?



**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** Let me say that nobody likes to have to pay more for gas at the pump. I know we've reached a new high when it comes to crude oil on the international markets. But I can tell you that there are some things that our province and our government is doing to assist our motorists.

First of all, we are bringing on-stream our new ethanol program, which mandates the use of 5% ethanol by 2007 and 10% by 2010. The members opposite may laugh at this, but not only is that of some environmental value to us, but it acts as a real hedge against international oil prices, over which we have no control. Just recently in our budget, we have now doubled the sales tax rebate for hybrid cars to \$2,000 as a way to encourage people to conserve on gasoline.

Those are some specific initiatives that we have in place at the present time in order to further assist our motorists.

**Mr. Bisson:** Premier, that's not helping anybody who has to drive up to a pump today. If you drive to a pump somewhere in Ontario today, you're going to pay anywhere from \$1 to \$1.15 per litre.

You said a lot of things in opposition; you were clear. In fact, we agreed with you. You chastised the Conservative government and said that they had to do something. You proposed a number of initiatives. You said that you wanted a gas price watchdog in order to make sure that people don't get gouged; you wanted 24-hour advance notice on any price rise that happens in the province of Ontario; and then you said you believed that we should have had a 90-day price freeze in order to give you the time, as a government, to deal with this issue. They said no at the time, you went ballistic, and now you've got the chauffeur-driven limo.

When are you going to do something and maintain the promises you gave while you were in opposition?

**Hon. Mr. McGuinty:** There is more good news for Ontario motorists as well. I am pleased to report that we're moving in the opposite direction taken by the NDP government. They raised the gas tax by 30%. But I'm pleased to report that on our watch, when it comes to auto insurance, rates have gone down by 13.4%. Those were nine consecutive rate decrease filings.

When it comes to motorists and the costs connected with operating their vehicles, it's more than just gasoline. Not only did the NDP raise the gas tax by 30%, but auto insurance rates went up by 27% on their watch and, of course, they broke their promise on public auto insurance.

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**Mr. Bisson:** Premier, that ain't cutting it with nobody. At the end of the day, people drive to the pumps and are getting hosed. It doesn't matter if you're in Thunder Bay, Sarnia, Cornwall, Toronto or Hearst; you're paying more for gas now and you're going to be paying more by this summer. You made some promises you didn't keep, but let's try keeping a promise that you made since you were in government.

On October 17, your committee members agreed with my motion that basically would allow a review of gas prices in this province. Will you allow that committee to do its work and give that committee the authorization to meet so that we can look into gas prices and make suggestions that this Legislature can act on and your government can do to help the people of Ontario?

**Hon. Mr. McGuinty:** I will make the assumption that there is actually a genuine spirit of desire to address this in an intelligent way. Some people say that's a great leap; I don't think it is. Let me just say this: We've got an ethanol program under way. We have doubled the sales tax rebate for hybrid cars. We are bringing auto insurance rates down in Ontario, for the first time in a long time. We're investing an extraordinary amount of public dollars in public transit, which we think is helpful in this regard as well.

There is something that the member opposite can do: He can join us—I ask Mr. Tory to do the same—to convince Prime Minister Harper, who is gaining a windfall. Every time the price of gasoline goes up in Ontario, the federal government stands to gain. In fact, for every one cent it goes up, the federal government makes another \$6 million. We don't make more money in Ontario on the basis of the tax that we level, but the federal government does. I would ask the members opposite, my good colleagues, to join us in imploring Prime Minister Harper to do something—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

#### LIQUOR CONTROL BOARD OF ONTARIO

**Mr. Tim Hudak (Erie-Lincoln):** A question for the minister responsible for the LCBO: We've obtained a recent memo to LCBO employees, who are encouraged to "improve their French Rabbit sales to win great prizes" such as French Rabbit tote bags, barbecue sets and French Rabbit radios. I remind the minister that this is an imported wine that is a competitor to our domestic industry. Minister, what concern have you expressed to the LCBO about their blatant promotion and bribes to LCBO employees to sell imported wine at the expense of the domestic industry?

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** First of all, I want to thank the member for the question, and I would indicate to you that, of course, our ministry has oversight of the LCBO. We don't direct their practices as far as what they promote and what they don't. But I can tell you that the LCBO is one of the premier marketers, in fact the premier marketer in the world, of Ontario-made wine, VQA wine. In fact, without the support of the LCBO, the industry would have significant difficulty in being able to make those kinds of offerings to the public of Ontario.

I want to let you know that I'm quite pleased with the role that the LCBO has taken on the three mandates that



they have: One, to provide to the treasury of Ontario with the revenues that go to invest in our health, our education and our economic prosperity; also, their social responsibility mandate, to make sure that there is responsible use of alcohol; but thirdly, the support to—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary.

**Mr. Hudak:** I thank the minister for his response. He says that the LCBO is a premier marketer of Ontario wine, as it should be. That's like congratulating a professional hockey player for skating down the ice successfully. It's a matter of course—of course they should be.

The question I have is, when you see promotions that are effectively bribing LCBO employees to substitute towards selling imported product—tote bags, radios, barbecues, etc. This looks like it's probably between a half-million-dollar to a \$1-million campaign from the LCBO to promote a foreign product exclusively, at the expense of the Ontario industry. Unless you are aware that the French government is similarly promoting Ontario wines over in France, I will ask you to get with the LCBO right away—I know they hold you in high esteem—and correct this problem immediately.

**Hon. Mr. Caplan:** I certainly want to indicate to the member—to all members—that the LCBO takes very seriously its three-fold responsibility: To increase the revenues to Ontario so we can invest in health, education and economic prosperity; two, the important social responsibility and the responsible use-of-alcohol mandate; but the promotion of the Ontario industry is a very important element of the LCBO marketing practices. In fact, Ontario wines have been featured in LCBO promotions, LCBO magazines and other retailing opportunities. I'm quite proud of the work that the LCBO is doing.

It is true that the LCBO markets alcohol—spirits, beer and wine—from around the world, and those are part of the practices as well. All of that revenue derived from all of those sales goes back and is invested into this province—into health care, into better education and into—

**The Speaker:** Thank you.

### HOSPITAL FUNDING

**Mr. Peter Kormos (Niagara Centre):** A question to the Minister of Health. The Peterborough Regional Health Centre is facing a projected \$4.5-million deficit this year. It's one of the 12 hospitals across the province that can't meet your demands to put the bottom line before their patients' health. The local paper, the Peterborough Examiner, says this proves "what everyone knows but the ministry has yet to admit: the hospital is underfunded."

Minister, are you going to force Peterborough's hospital to balance its budget at the expense of hospital care?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** The honourable member asks a question, but again doesn't reflect on any experience that he had in government. The first two years of your party's

government and the first two years of that party's government saw very significant net reductions in hospital funding. Our record stands in sharp contrast to that. Every hospital in Ontario has received more money each and every year, and we've already given them projections for the next couple of years around that.

In the case of Peterborough, obviously we have on-site there a very significant new hospital being constructed. The matter at hand, and one that I'm working on very carefully with the ministry, with the local hospital and with the local MPP to resolve is, what is the appropriate bed count in the existing hospital as they plan to evolve into the new building, which is coming to life quite quickly? I can tell the honourable member that we've worked very hard to improve the circumstances for health care in Peterborough, with a family health team for the whole community and with a new hospital. We will seek to resolve this issue in a fashion that allows us to have the Peterborough community among our high-performing communities in Ontario as it relates to health care.

**Mr. Kormos:** Minister, we're talking about health care here and now under your watch, and when your government has just announced a \$3-billion windfall in unanticipated revenues. Peterborough's hospital has too few beds, too few doctors and the heaviest emergency room demand in the province. Your ministry's very own studies say the hospital needs to be expanded, not cut back. But you have forced that hospital to rely on hallway medicine after slashing its budget by \$10 million over the last two years.

When are you going to fund Peterborough's hospital and give the folks in that community the health care service they deserve?

**Hon. Mr. Smitherman:** Firstly, one of the challenges we have in dealing with the honourable member is that he doesn't like to admit to the fact that when he was in office the record of his party was that they cut, in one year, \$268 million from hospitals.

In the case of Peterborough, I think it's very important to note that we've invested more than \$12 million in additional operating funds. But like I said to the honourable member, who was responsible for the closure of 11,701 beds in Ontario, we recognize the needs in Peterborough. We're working very closely with the hospital community and with the local member, who's very aggressive in advocating on behalf of his community. I can assure the honourable member that these decisions will be taken with a view towards turning Peterborough into one of the high-performing health care communities, recognizing that when we came to office they were in a very poor situation with a very, very old and decrepit hospital and—

**The Speaker (Hon. Michael A. Brown):** Thank you.

### CHILD CARE

**Mr. David Oraziotti (Sault Ste. Marie):** My question is for the Minister of Children and Youth Services. Parents in my riding of Sault Ste. Marie have told me



they need high-quality child care in order to balance the demands of work and family. In many families, both parents work, and they need affordable child care options that provide them with a safe place to send their young children as well as a place where their children will have learning and development opportunities. That is why I was so pleased to see that our government had signed a five-year, \$1.9-billion early learning and child care agreement with the federal government on behalf of Ontario families. But now I'm very disappointed to see that the Harper government has refused to honour this important agreement.

Minister, what can members of this Legislature do to stand up for Ontario families, who desperately need to see the benefits of this agreement?

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**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** What the member from Sault Ste. Marie has been hearing in his riding is exactly what we have been hearing from families all across Ontario. I want to thank him for advocating so aggressively on behalf of his families. That agreement would have meant 25,000 new high-quality, licensed child care spaces in Ontario over the first three years of the agreement. In northern Ontario, that would have meant 2,765 new spaces. A reflection of the demand for those spaces is what they have committed to expand to by September of this year: new spaces in the order of more than 1,600 in northern Ontario. What we can do here, all of us, is to stand up and advocate on behalf of Ontario families, regardless of their political stripe—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Mr. Oraziotti:** Minister, I couldn't agree more. I question why the Conservative and NDP members of this House continue to be silent when we ask them to join us in calling on the federal government to honour the early learning and child care agreement. Perhaps the Conservatives are just not interested in supporting child care opportunities for Ontario families, and perhaps the NDP are disappointed that their own federal colleagues sold out Ontario families when they sided with Harper, with no protection for this agreement.

The Harper government has clearly disadvantaged Ontarians and created a period of uncertainty with their plans to terminate the agreement. Minister, how is our government proceeding in order to provide the highest degree of certainty to parents and municipalities in Ontario?

**Hon. Mrs. Chambers:** What I should say is that the federal NDP and the federal Liberals have been standing up for families across Canada. What we have not seen to date is the Ontario NDP and the Ontario Tories doing the same. So anyone who thinks that \$1,200 in taxable money is going to do very much to provide early learning and child care facilities for these families is actually misguided.

But to give you an idea of how well we are doing so far, more than 14,000, as in more than 50%, of the spaces

targeted for the first three years will have been created in Ontario by September 2006. I'm very proud that our government has committed to sustaining every single one of those new spaces and has also committed to wage improvements for child care workers and also for increased subsidies for parents so that more families can afford high-quality child care.

## HIGHWAY LITTER

**Mr. John O'Toole (Durham):** My question is to the Minister of Transportation. Minister, it's springtime and cleanup time around Ontario, whether it's in your home, your backyard or in our municipalities. Everyone is expected to pitch in. In fact, my riding this weekend is hosting a clean-up-your-community event. I think it's important to recognize that you, Minister—yesterday there was an article in the paper expressing concern about the trash buildup on our provincial roads. Minister, could you tell me what plan you have to keep Ontario clean and green?

**Hon. Harinder S. Takhar (Minister of Transportation):** I want to thank the member for asking this question. It's important for all of us to keep our highways clean and safe. We are spending about \$3 million every year throughout the province to keep highways clean. But in addition to this, we also have an adopt-a-highway program in which about 600 volunteers participate every year, and they clean about 2,500 kilometres of highways.

Last year, we also introduced the Operation Springboard program. It's a joint program with the Ministry of Community Safety and Correctional Services, where we use low-risk offenders to pick up litter on the highways. Having said all that, I want to say that this is an issue in which everyone should take responsibility. We all need to work together to clean the litter on our highways and keep them clean—highways as well as the intersections.

**Mr. O'Toole:** Clearly, Minister, you're responding to the article in the media yesterday. I'd like to bring to your attention what MPP Wayne Arthurs's good friend Dave Ryan, the mayor of Pickering, said in the article: "They're the dirtiest parts of our city," referring to your highway ramps. "It's a blight on our community."

In fact, if you look back in history, you'll find that Ontario once bore the slogan "Keep it Beautiful" on licence plates, and now it's "Yours to Discover." But what they're actually discovering is the litter lying on the sides of the highway. If you want to find one of the deterrents to tourism, your cleanup of our highways is contributing. We're delivering our trash to Michigan, and a lot of it is finding its way onto our roadsides in Ontario. Minister, what is your solution for this growing problem of trash on Ontario's highways?

**Hon. Mr. Takhar:** I want to thank all the mayors for raising this issue. I think we all need to work together to keep our highways clean and safe. As I said before, it's everybody's responsibility. We need to create an awareness about keeping our highways safe. We'll continue to work with the mayors in the GTA area and throughout



the province so that the highways stay clean. It's not an issue that just came up because of the news in the paper. I think this is an important issue, and we all need to work together because it's also important from the tourism point of view.

#### PIT BULL LEGISLATION

**Mr. Peter Kormos (Niagara Centre):** A question to the Attorney General: Earlier today on CHML's Roy Green Show, I spoke with a Hamilton mom, Lorinda Burke. Her nine-year-old son's dog, Jasper, an alleged pit bull, is about to be destroyed because she could not afford to have it spayed. Now she has obtained the money. She is prepared to pay for the operation for her family pet to be spayed, but animal control says that Jasper has to be killed anyway. What's the logic to that, when she's prepared to have the dog spayed in compliance with your legislation but animal control says, no, your law requires that it be put to death?

**Hon. Michael Bryant (Attorney General):** The member knows that the implementation of the law and the application of the law is done at a local level. Mayor Di Ianni has said that the rules are the rules and the law is the law and that the law must be complied with. I am confident that they will resolve this at the local level.

We have rules in place. We have laws in place. People are aware of the laws. The law sets forth a process. There is a process. They'll make their application, make their submissions, and animal control and the local municipality will resolve this issue. The mayor has said that this is the way it ought to work, and that's the way it will work.

**Mr. Kormos:** Well, Attorney General, unfortunately, your law is so defective and so deficient in terms of advice to municipalities and support for them in the interpretation of the law that the law is applied helter-skelter, checkerboarded across the province.

The dog never bit anybody, never displayed any signs of aggressiveness—no signs whatsoever of posing a danger—yet it was an unsprayed alleged pit bull; two years old, I'll tell you. Attorney General, you haven't exactly shown a great deal of proficiency at picking them out yourself, have you?

A pit bull, a dog that has caused no harm; a nine-year-old boy's pet, a family pet. The woman couldn't afford to have the dog spayed; now she can. Why won't you and your ministry permit this woman to comply with the law, have the dog spayed and return this pet to its owner, a nine-year-old kid?

**Hon. Mr. Bryant:** Again, the member knows that this is a matter that is going to be dealt with by the municipality locally. The legislation, on which we undertook extensive debate in this Legislature, is really the most comprehensive dangerous dog legislation of its kind on the continent. The very concern that the member raises, the patchwork concern that he raises—in fact, that's why we brought in province-wide legislation. Instead of having one municipality have one set of rules and another

municipality have another set of rules, we brought in province-wide legislation.

The member will know that in the Niagara region Lylie Brook Bowman says she's still haunted by a pit bull attack last spring that left her with permanent nerve damage in her hand and seriously injured her dog. She said, "I was really traumatized. I can't begin to tell you how scared I am to walk my dog down the street."

It's because of people like this from the Niagara region that we brought forward the legislation. It is legislation about public safety. It is clear legislation. It is in the hands of local municipalities, and they will implement it. I'm confident they'll implement it appropriately.

1510

#### HOSPITAL FUNDING

**Mr. Tony C. Wong (Markham):** My question is for the Minister of Public Infrastructure Renewal. The Toronto Rehabilitation Institute is one of the largest teaching hospitals in rehabilitation services in Canada. It also provides leading care in cardiac, geriatric, musculoskeletal, stroke, acquired brain injury—ABI—and spinal cord rehabilitation, as well as complex continuing care across its multiple sites.

As you know, there is a substantial need for investment in the Toronto Rehabilitation Institute's University Avenue site to reduce patient wait times and enhance access to services for people throughout the province. I was pleased to see that you approved it as an alternative financing and procurement—AFP—project last Thursday. Can you tell me what this announcement means for rehabilitative care in Ontario?

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** I do want to thank the member from Markham for the question, because last week it was indeed a pleasure to be at the Toronto Rehabilitation Institute to announce and commit to a major redevelopment of the hospital's University site, with construction slated to begin in 2007-08. This project will modernize facilities for 176 rehabilitation beds and increase ambulatory care capabilities, and new state-of-the-art technology will be housed right here on University Avenue. As well, there will be major enhancements to the hospital's educational and leading-edge research roles.

Approving this project is not only an example of the value that we place on building new research facilities, with a world-class rehabilitation laboratory called Intelligent Design for Adaptation, Participation and Technology; it's also a shining example of our effort to reduce patient waiting times and enhance access to services—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary.

**Mr. Wong:** Thank you, Minister. It is wonderful that construction is expected to begin in 2007-08 and that this provincial commitment will allow the institute to finally close its out-of-date Hillcrest hospital site and move these programs to the University Avenue site. Can you



also explain why this project has been approved as an AFP project and what the benefits are of this innovative approach?

**Hon. Mr. Caplan:** This project was approved because investing in health care is one of the primary priorities of the McGuinty government. The many hospitals in this province are long overdue in need of capital investment. The average age of a hospital in the province of Ontario is 45 years old. In fact, this hospital happened to be the place where I was born, so we know just how old this is. We are very much aware of, and we're working very hard to address, the concerns of all of the communities right across Ontario, doing it one hospital at a time. We're proud of the approach that we've taken.

The expansion of this facility will give the people of Ontario more opportunities to enhance the quality of their life. And the member is right: Using AFP, or alternative financing and procurement, methods enables us to complete these initiatives and do them faster. This facility will remain publicly owned, publicly controlled, and it will mean that construction work is financed and carried out by the private sector. The private sector will assume any project risks. It means that more projects—

**The Speaker:** Thank you. New question.

#### NATIVE LAND DISPUTE

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** My question is to the Premier. It's now been 51 days of turmoil and uncertainty for people living in Six Nations and Haldimand county because of the Caledonia native land dispute. Your minister of aboriginal affairs seems to be all over the place on this one. First he said it was a federal concern, and then last week in this House he said: "The province has been taking a lead role in this." This is from your minister.

Premier, wouldn't you agree that your minister's confusion and indecision about Caledonia further exemplifies the vacuum of leadership in the McGuinty government?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** No, I don't agree. I think the minister is doing exactly what he needs to do. I understand that there is, in some quarters, some impatience and some frustration, but we are dealing with this in a peaceful manner. There has been no incident; there has been no injury, or worse. The member opposite seems to take issue with this particular approach. Well, we have a different perspective on this. The minister is doing exactly what he's supposed to do. He's working with our federal cousins; he is working with the community; he's working with the First Nations community involved. We are determined to resolve this, but we will do this in a way that results in no incident and in no compromise to public safety.

**Mr. Barrett:** Premier, we all agree that we are searching for a peaceful resolution, but I get the impression that your government is being held hostage. This is a sign of weakness and vulnerability. Your minister responsible for aboriginal affairs told the House—

#### *Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order.

**Mr. Barrett:** Premier, I'll quote from your minister of aboriginal affairs in the House last week: "... the Ontario government has been on top of the situation." But today's Brantford Expositor begs to differ. The headline reads, "Bid to Settle Six Nations Occupation Non-Starter."

Premier, what did your minister bid? What did he offer? In an article titled "Crossed Wires Muddle Effort to End Land Standoff," the Hamilton Spectator claims that you may hand over land in Brant county, land in South Cayuga and land in Townsend. Have you asked the people in Burtch, in Brant county, have you asked the people in South Cayuga or in Townsend if they have any thoughts on this? We're talking about well over—

**The Speaker:** The question has been asked. Premier?

**Hon. Mr. McGuinty:** I want to make sure that the leader of the Conservative Party is well aware of the question put and the comments just made by one of his backbenchers, because people are going to want to know where he stands on this issue. The member opposite has just accused us of demonstrating weakness because we are taking the necessary time to resolve this issue in a peaceful manner. Well, that's the approach, and we're not going to apologize for that. If the Conservative Party has a different position, if they would rush in, then the leader of the Conservative Party should say so. I'm sure the media will be interested in determining exactly what his position is on this issue.

I say it again: We will proceed in a responsible fashion. We will be mindful of the public safety issues and we'll be mindful of the fact that no harm ever comes from sitting down and talking and working together with a determination to resolve it peacefully.

#### WSIB EMPLOYEE PENSION PLAN

**Ms. Andrea Horwath (Hamilton East):** My question is for the Minister of Labour. Minister, the WSIB employee pension plan is funded by both employer and employee contributions, but the employees can't realize any of the gains they negotiate to their pension plan because the WSIB wears two conflicting hats. As the negotiator at the table with the employees, they agree to pension plan benefit improvements. However, when they put on their hats as the trustees of the plan, they then say the plan cannot sustain those improvements.

So my question to you, Minister, is this: Will you agree to examine the inherent conflict of interest that exists because the WSIB is both the employer and the plan administrator of the employee pension plan?

**Hon. Steve Peters (Minister of Labour):** I want to thank the honourable member for the question. As I'm sure she is aware, the WSIB is an arm's-length agency of the province, but they do play a very important role in the health, safety and welfare of citizens in Ontario. It's an organization that is accountable. It's an organization that, as I said, plays an important role in providing coverage for individuals who are injured on the job.



They've also made great strides to improve their own finances, their own stability. They have undertaken a comprehensive audit to look at what steps they could be taking to improve the way they do business. As well, that audit was initiated by the previous minister, and I have asked for a follow-up audit from the WSIB to look further at some of those issues.

I'll continue in my response to the honourable member's question.

1520

**Ms. Horwath:** Minister, having the WSIB as the employer and the sole pension plan administrator is a clear conflict of interest, and it hurts the WSIB employees because they can never actually see any of the improvements in their pension plan after they've been negotiated. You claim to have an arm's-length relationship with the WSIB, but at the same time no amendments to their pension plan can be implemented without your approval. WSIB employees tell me that you are well aware of this problem, but you refuse to treat them fairly with their pension plan.

Will you, as minister, do the right thing by WSIB workers and move to a joint trusteeship for pension plan governance?

**Hon. Mr. Peters:** Again, I thank the member for the question. Obviously, she seems to forget—and I made the comment in my opening statement—that the WSIB is an arm's-length agency and an agency that plays a very important role. But as well, I think the honourable member should understand that there are issues that need to be dealt with through collective bargaining and at the table. She should understand that it would be extremely inappropriate for a Minister of Labour to interfere in a collective bargaining process in the province of Ontario, that the minister has a role to play, and that if there are issues that arise during collective bargaining—we're very proud of the mediators and arbitrators we have available to us in Ontario. I would just say to the honourable member that this is certainly an issue that has been raised. It's an issue that we have forwarded to the WSIB and asked the president and the CEO for their consideration. I look forward to making an announcement in the very near future—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

#### WORKPLACE SAFETY FOR STUDENTS

**Mr. Peter Fonseca (Mississauga East):** My question is for the Minister of Labour. Undoubtedly, everyone has noticed by now that we are into spring. It's a time of year when the days are longer and the weather is warmer. It's also a time of year when post-secondary students anxiously write their final exams and engage in yet another rite of spring: finding a summer job.

Like all young workers, our students are eager to prove themselves, to excel, be productive, learn new skills and demonstrate proven ones. Of course, like all of us, they want to earn a living. Unfortunately, for some

young workers, what should be routine summer work with friends and fun can turn instantly into tragedy. Statistics tell us that workplace injuries to young and new workers are six times more likely to occur during the first month of employment than at any other time.

Minister, our children are our most precious resource. We want to protect them. Please tell us what your ministry is doing to protect our young workers as many embark on another season of summer employment.

**Hon. Steve Peters (Minister of Labour):** I want to thank the honourable member for Mississauga East for his question. I can assure you that the health and safety of all employees in the province of Ontario is the number one priority for this government. I think we have demonstrated it very clearly by moving forward with hiring 200 additional inspectors in Ontario. As well, we're moving forward with occupational health and safety within our agricultural community, which previously had been exempt.

But I want to say to the honourable member that it should be a priority for every one of us in this House. Young worker health and safety is a major priority for me, but we all should be conscious of it, because one death or one injury to a young person in this province is one too many. As you pointed out in your question, a young person is six times more likely to be killed or injured on the job within those first 30 days. I think it's incumbent on us that we recognize that knowledge is power—in this case, it can be potentially life-saving. We need to ensure that, collectively, we get that message out to employers, to parents and to students—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Mr. Fonseca:** Minister, it's good to hear that this government acts on its commitment to worker health and safety. It's not enough to prioritize workplace safety without taking action to invest in and promote workplace safety. Your answer assures us that this government has done both. Thankfully, statistics support that this effort is showing that Ontario is the national leader in preventing traumatic injuries to young workers. However, accidents still occur.

Taking a summer job or starting one's first full-time job should be a learning experience and not a test of survival. Minister, it's important to know what I can do individually to help prevent young worker injuries this summer, and it's also important to know what we can all do collectively. Please tell us what we can do in our communities so that no parent will have to hear the unbearable news that their child is not coming home from work that day.

**Hon. Mr. Peters:** I think the most important question that young people and parents need to ask—don't be afraid to ask questions when you go into a new place of employment. As well, I would encourage young people, parents and employers to view our website, [Worksmartontario.gov.on.ca](http://Worksmartontario.gov.on.ca), because we have some great tips available there.

There is an individual in this province who has become a real advocate for young worker health and safety.



He's an individual who has not done this in any partisan way, and his name is Rob Ellis. Rob's son was 18 years old when he was killed on the job.

Rob Ellis has gone into all of our ridings across Ontario to spread that message of young worker health and safety. I would encourage any one of you to contact the ministry office. We can arrange to work with you to have Rob come out and speak to young people in your riding, because that powerful message that he delivers is a message that young people in this province need to hear.

As well, we need to recognize that next week, April 28 is the day to recognize workers killed or injured on the job. We need to think about all workers killed or injured—

**The Speaker:** Thank you. New question.

### YOUTH SERVICES

**Mr. Norman W. Sterling (Lanark–Carleton):** I also want to ask about youth employment opportunities, and this is to the Minister of Children and Youth Services. In February, you announced youth opportunities strategy funding to reach out to young people to help them access services, find jobs, stay in school and stay off drugs. You limited that funding to Toronto for the first year and five other urban centres in subsequent years.

Minister, can you explain to me and to Ontario's one million other youthful people who live in smaller communities why you have not provided any new funding for programs in their communities?

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** First of all, it's obvious that the honourable member appreciates the youth opportunities strategy, the \$28.5 million that our government announced in February of this year. It is indeed a wonderful program. Starting in Toronto this year, it will provide 750 summer jobs for youth from at-risk communities and another 100 in a first-of-its-kind-in-Canada program called youth in policing, where young people will have the opportunity to establish very positive working relationships with the Toronto police services. In fact, that program has already received more than 500 applications. It's very exciting. This year, we'll also employ 39 new youth outreach workers.

So this is very exciting, and it does emphasize Toronto in its first year because of the particular challenges on the crime front—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary.

**Mr. Sterling:** The minister emphasizes the problem with the program. She says that it offers all of these wonderful services to Toronto and is going to offer these services to another five urban areas, but it doesn't offer them to all the young people across Ontario, which, in fairness, it should.

Madam Minister, some of the problems that you outlined in Toronto are worse in rural and small-town Ontario. The teen suicide rate in rural Ontario is double

the rate it is in the urban areas. In small communities, it's harder to get a job. It's harder to find entertainment for young people. It's harder to gain access to services. Yet you have abandoned these young people.

Why are you discriminating against these young people who live in small-town Ontario? Why are you discriminating against them?

**Hon. Mrs. Chambers:** I know you like these particular programs, but they're not the only programs that our government has announced. I want you to know that, as we expand these programs—

*Interjections.*

**Hon. Mrs. Chambers:** If you would like to hear the answer, you're going to have to be quiet.

Let me tell you about what my honourable colleague the Minister of Training, Colleges and Universities has just announced: more than \$50 million in programs for young people all across Ontario.

I do hope that the honourable member will stop playing politics with this and make sure that his constituents know about the wonderful programs—summer employment programs—that the Minister of Training, Colleges—

*Interjections.*

**Hon. Mrs. Chambers:** Focus on the positive, for a change.

1530

### PETITIONS

#### LONG-TERM CARE

**Mr. Norm Miller (Parry Sound–Muskoka):** I have a petition from Pines long-term-care facility in Bracebridge, and it says:

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I support this petition.



**Mrs. Carol Mitchell (Huron-Bruce):** “To the Legislative Assembly of Ontario:

“Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

“Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

“Whereas those unacceptable care and service levels are now at risk of declining;

“We, the undersigned, who are members of family councils, residents’ councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years....”

I affix my signature to this.

#### EDUCATION FUNDING

**The Speaker (Hon. Michael A. Brown):** The member for Oak Ridges.

**Mr. Frank Klees (Oak Ridges):** Thank you, Speaker. I was beginning to wonder.

“Petition to Ontario Legislature to End Discrimination

“Whereas the Ontario government already ... funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding, solely because they are not Catholic;

“Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

“Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

“Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

“Whereas Ontario is the only western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces except the Atlantic provinces fund faith-based schools and have thriving public school systems;

“Whereas the cultural survival of the affected minority groups is at stake;

“Whereas faith-based schools produce responsible and productive citizens; and

“Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable and protects and enhances the public interest;

“We, the undersigned, call on the Ontario Legislature to pass legislation to provide fair and equal funding in respect of all faith-based schools in Ontario without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded.”

I’m pleased to affix my signature to this petition.

#### TUITION

**Mr. Rosario Marchese (Trinity-Spadina):** I’ve got thousands of names on this petition, as you can see.

“Whereas in 2005, Ontario’s per-student college funding was the second-lowest in Canada; and

“Whereas, over the past 15 years, the number of college students increased by 53% while real per-student funding declined by 41%; and

“Whereas students’ learning conditions have deteriorated in relation to the shortage of full-time faculty; and

“Whereas the Ontario government claims that tuition fees must increase (again) in order ‘to improve the quality of education’; and

“Whereas persistent government underfunding makes it impossible to realize increases in quality even if tuition fees double or triple; and

“Whereas the government is again trying to stick college students with the bill; and

“Whereas college students have had enough;

“We, the undersigned, petition the Legislative Assembly of Ontario to immediately:

“(1) Invest an additional \$100 million per year in core funding for Ontario colleges;

“(2) Increase the number of full-time faculty in Ontario’s colleges by at least 10%; and

“(3) Extend the current tuition fee freeze until such time as the Ontario government has restored full-time faculty ratios to those that existed in 1990.

“In the event of a faculty strike within Ontario’s colleges,

“We, the undersigned, petition the Legislative Assembly of Ontario to immediately:

“(1) Refund tuition fees; and

“(2) Fully reimburse college students for all expenses incurred as a result of an expansion or contraction of the semester, including ancillary fees and expenses such as child care, lost earnings or rent.”

I support this petition.

## IDENTIFY THEFT

**Mr. Tony Ruprecht (Davenport):** I'm pleased to read this petition, which was sent to me by the Consumer Federation of Canada. It reads as follows:

"Whereas identity theft is the fastest-growing crime in North America;

"Whereas confidential and private information is being stolen on a regular basis, affecting literally thousands of people;

"Whereas the cost of this crime exceeds billions of dollars;

"Whereas countless hours are wasted to restore one's good credit rating;

"Therefore we, the undersigned, demand that Bill 38, which passed unanimously on November 30, 2005, be brought before committee and that the following issues be included for consideration and debate:

"(1) All consumer reports should be provided in a truncated ... form, protecting our vital private information, such as SIN and loan account numbers.

"(2) Should a consumer reporting agency discover that there has been an unlawful disclosure of consumer information, the agency should immediately inform the affected consumer.

"(3) The consumer reporting agency shall only report credit-inquiry records resulting from actual applications for credit or increase of credit, except in a report given to the consumer.

"(4) The consumer reporting agency shall investigate disputed information within 30 days and correct, supplement or automatically delete any information found unconfirmed, incomplete or inaccurate."

Since I agree, I'm delighted to sign this petition.

## CONVENIENCE STORES

**Mr. Jerry J. Ouellette (Oshawa):** I have a petition to the Legislative Assembly of Ontario:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Korean Businessmen's Association ... represents 3,000 family-owned and -operated small convenience store businesses across Ontario who are being driven out of business by the McGuinty government; and

"Whereas the McGuinty government has hurt OKBA members by hiking WSIB rates, hiking commercial hydro rates, and dumping the high costs of implementing Bill 164 on these small family-run businesses;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Convenience stores are the last family-run businesses in every neighbourhood throughout Ontario and are in urgent need of both compensation and help from the government to allow replacement categories for tobacco products."

I affix my name.

## CHILD CARE

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I have a petition here, and it's addressed to the Legislative Assembly of Ontario. I'd like to read it into the record here:

"Whereas the people of Ontario expect the government of Canada to honour existing agreements with the government of Ontario;

"Whereas provinces and territories negotiated agreements with the federal government to ensure Canadians would have access to early learning and child care programs that are high-quality, affordable, universally inclusive and developmental;

"Whereas parents in Ontario have demonstrated a high demand for greater access to high-quality early learning and child care programs;

"Whereas Ontario's early learning and child care agreement with the government of Canada would provide Ontario families with at least 25,000 new high-quality, regulated child care spaces in the first three years;

"Whereas Ontario's early learning and child care agreement represents a \$1.9-billion investment over five years in high-quality early learning and child care;

"We, the undersigned, petition the Legislative Assembly of Ontario to support the government of Ontario in calling on the government of Canada to honour Ontario's early learning and child care agreement, for the sake of the thousands of Ontario families who would benefit from it."

I agree with this petition. I affix my signature to it and give it to page Mark beside me here today.

1540

## LONG-TERM CARE

**Mr. Ted Arnott (Waterloo-Wellington):** I received the attached petition from Royal Terrace nursing home in Palmerston, Leisureworld in Elmira, Caressant Care in Fergus and WestMount in Kitchener, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of



Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I support this petition as well.

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** I would like to thank Carrol Haywood from Groves Park Lodge in Renfrew for presenting this petition to me.

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I support this petition. I sign my name to it and send it down to the table through Cameron.

#### CHILD CARE

**Mr. Tony Ruprecht (Davenport):** This is addressed to the assembly of Ontario. It reads as follows:

"Whereas the people of Ontario expect the government of Canada to honour existing agreements with the government of Ontario;

"Whereas provinces and territories negotiated agreements with the federal government to ensure Canadians would have access to early learning and child care programs that are high-quality, affordable, universally inclusive and developmental;

"Whereas parents in Ontario have demonstrated a high demand for greater access to high-quality early learning and child care programs;

"Whereas Ontario's early learning and child care agreement with the government of Canada would provide Ontario families with at least 25,000 new high-quality, regulated child care spaces in the first three years;

"Whereas Ontario's early learning and child care agreement represents a \$1.9-billion investment over five years in high-quality early learning and child care;

"We, the undersigned, petition the Legislative Assembly of Ontario to support the government of Ontario in calling on the government of Canada to honour Ontario's

early learning and child care agreement, for the sake of the thousands of Ontario families who would benefit from it."

Since I agree, I'm delighted to sign this petition.

#### LONG-TERM CARE

**Mr. John O'Toole (Durham):** I'm pleased to present a petition on behalf of Community Nursing Home in Port Perry, Fosterbrooke Long Term Care Facility in New-castle, Strathaven Lifecare Centre in Bowmanville, and Marnwood Lifecare Centre. I'll read the shortened version:

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding of long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I'm pleased to sign this and endorse it on behalf of my constituents.

#### HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** On a point of order, Mr. Speaker. I seek unanimous consent to move a motion respecting the meeting of the House today.

**The Acting Speaker (Mr. Michael Prue):** The government House leader is seeking unanimous consent. Is it agreed? Agreed.

**Hon. Mr. Bradley:** I move that, notwithstanding the earlier order of the House, when the House adjourns at 6 o'clock today it stand adjourned until 10 o'clock on Thursday, April 20, 2006.

**The Acting Speaker:** Mr. Bradley has moved that, notwithstanding the earlier order of the House, when the House adjourns at 6 o'clock today it stand adjourned until 10 o'clock on Thursday, April 20, 2006. Shall the motion carry? Carried.

#### ORDERS OF THE DAY

##### PLANNING AND CONSERVATION LAND STATUTE LAW AMENDMENT ACT, 2006

##### LOI DE 2006 MODIFIANT DES LOIS EN CE QUI A TRAIT À L'AMÉNAGEMENT DU TERRITOIRE ET AUX TERRES PROTÉGÉES

Mr. Gerretsen moved second reading of the following bill:

Bill 51, An Act to amend the Planning Act and the Conservation Land Act and to make related amendments



to other Acts / *Projet de loi 51, Loi modifiant la Loi sur l'aménagement du territoire et la Loi sur les terres protégées et apportant des modifications connexes à d'autres lois.*

**The Acting Speaker (Mr. Michael Prue):** The Minister of Municipal Affairs and Housing.

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing):** I'll be sharing my time with my parliamentary assistant, the member from York West.

It's with great pride and certainly with great privilege that I stand here today to introduce the second reading of the proposed Planning and Conservation Statute Law Amendment Act, 2005, which I truly believe will substantially change the land use planning system in the province of Ontario.

Our proposed legislation would have a significant impact on the land use planning system in Ontario. If passed by this Legislature, this bill would bring Ontario's land use planning system and the Ontario Municipal Board into the 21st century.

The proposed legislation will bring about an important change to the culture of land use planning in our province. It will contribute to our efforts to reduce urban sprawl, preserve valuable green space and protect our natural resources.

Ontario's land use planning system plays a key role in shaping the way our province grows and our communities develop, and reforming Ontario's land use planning system is a cornerstone of our government's commitment to build strong, healthy and livable communities.

We, as a government, understand that a better planning system will contribute to better development in our province and in the individual communities that are contained therein. We also recognize that our economic prosperity and quality of life depend on managing growth in a coordinated and strategic fashion.

By continuing to make improvements to the land use planning system, our government is supporting the development of communities that are more compact, have a good mix of housing and jobs, have more convenient and transit-friendly transportation choices and have easier access to services. By improving the land use planning system, we can also better protect valuable resources such as water, farmland, wetlands and other natural heritage features.

Good development doesn't just happen by accident. It happens because people have planned and developed these communities and their features carefully and creatively. Good development happens when decision-makers provide leadership to support sustainable growth. I'm very proud that our government is providing leadership by implementing an aggressive plan for building strong and sustainable communities in Ontario.

**1550**

We've already taken a number of steps to implement this plan:

—our greenbelt plan, which permanently protects 1.8 million acres of environmentally sensitive and prime agricultural land from urban sprawl, as well as sustainable communities therein;

—the Places to Grow Act and our proposed growth plan for the greater Golden Horseshoe, which sets out where the three million to four million people who will be settling in this part of Ontario over the next 25 years will live and work. Our provincial policy statement on land use planning is an extremely important component of that. It speaks to sustainable development. It speaks to intensification and better land use than is currently the case; and

—our proposed clean water legislation and our significant investments in public transit, which we made once again in our last budget just a month or so ago.

Bill 51, the bill that we're debating here today, is another critical part of that plan. The planning reforms that we have proposed in this bill have a number of key elements that would support better and more strategic development in our communities. The main highlights include: more methods to assist councils in the decisions they make to support intensification and sustainable and well-designed communities; clearer rules and a more effective planning process for the public, municipalities and everyone involved in planning our communities; a more efficient and transparent Ontario Municipal Board, which would be focused on land use disputes that have the greatest impact on the broader public interest.

I would like to take a moment to outline some of the ways that our proposed legislation would provide more tools to support intensification and sustainable, well-designed communities.

With the act, municipalities would be able to promote environmental sustainability by setting conditions when approving zoning applications. That is currently lacking in our planning system, and it's something that municipalities and the councils of those municipalities have been asking for for years. This could apply to such important areas as brownfields cleanup and energy efficiency. Certainly brownfields cleanup is required in just about every community in this province.

In addition, municipalities could use site plan controls to promote innovative ideas and technologies such as green roofs, solar panels and water-conserving landscaping practices. Sustainable design elements could also be incorporated into new subdivision proposals. Municipalities could require that the design, layout and servicing of new subdivisions would need to promote energy conservation, something that's lacking currently. Municipalities could establish provisions for transit- and pedestrian-friendly design elements along streets and highways.

We're also promoting more sustainable patterns of development by proposing to expand the scope of community improvement plans. These plans are important tools that provide provincial financial support to assist municipalities' efforts to perform key community improvement activities such as brownfields redevelopment. Enhancing community improvement plans would help promote intensification and the revitalization of neighbourhoods, and lead to more sustainable patterns of development. For example, new building construction that incorporates energy-efficient features can be included as



part of the eligible costs of a community improvement plan, something that's not possible today.

These examples that I've mentioned indicate how the proposed planning reforms would help encourage environmentally sustainable design practices. But our proposed legislation will also enable municipalities to consider the exterior design of buildings through their official plan policies. This is something that municipalities have been seeking and looking to have as part of their tools in planning their communities for at least the last 30 years, that I'm aware of. It would allow for the consideration of the character, scale and appearance of proposed buildings in relation to the surrounding environment, providing greater opportunities to improve the look and feel of communities across Ontario, to take into account streetscapes, to take into account building materials.

Building stronger and sustainable communities also means maintaining long-term employment opportunities within municipalities. To support municipal decisions that ensure the long-term availability of employment locations and their tax bases, we're proposing that municipalities will be able to refuse applications to convert employment lands to other uses. Such a decision could not be subject to appeal except during the comprehensive review of the municipality's official plan every five years, which I will be speaking to later on.

I just want to talk to you very briefly about some of the other intensification tools that we have included in the proposed bill. I've already mentioned zoning with conditions. Municipalities will also be given greater flexibility to regulate the minimum and maximum density and height of development, to build more compact communities that make use of lands and services more effectively. There will be a development permit system. This process could be of benefit throughout the province through the province-wide application of the so-called DPS—development permit system—which would in effect collapse three approval process—minor variance, zoning and site plan control—into one. An enhanced DPS would be a more effective, streamlined process that will give municipalities more flexibility over land uses, density, setbacks, design matters and community facilities and services which could help address on-site redevelopment challenges.

We are also allowing for accessory apartments or second units within residential buildings. Through official plan policies, a municipality can, in a permissive way, designate areas where second residential units—the so-called basement suites, in most cases—are permitted, and there would be no right to appeal the designation to the Ontario Municipal Board. This is a permissive power that will be up to the municipality to determine if and where it should apply within that municipality.

Architectural design: As I've already mentioned, through official plan policies, municipalities could consider the exterior design of buildings. It will allow for consideration of the character, scale and appearance of proposed buildings in relation to the surrounding envi-

ronment. Quite often in the past, when a municipal council has been dealing with a zoning issue or an official plan matter or a site plan control matter, particularly with respect to site plan control, it could only look at the exterior features surrounding the actual development, but not at issues such as how the development fits into the rest of the community, into the rest of the streetscape. This is one of those powers that I believe in the long run can be very effectively used by municipalities.

Sustainable design, intensification and compact form would be supported by proposed changes that not only affect the look and feel of communities, but also provide the means to improve the environmental quality and sustainability of buildings. Municipalities could, if they wish, ensure that sustainable design is incorporated into new subdivision proposals through a variety of means that I've already indicated. It could include the shaping of the design, layout and servicing of new subdivisions to promote energy conservation and have a provision for pedestrian walkways, bicycle paths and transitways along public roads.

We also want the planning process to be a lot clearer than it currently is. We recognize that municipalities should have more tools to help them achieve better and more sustainable growth, but we know that a more accessible and effective land use planning system is required as well.

What our planning system needs are more clear, consistent rules, rules that provide more certainty and clarity on how the system works for everyone: the municipalities, the developers and interested third parties. It's essential for developers and investors who are making applications and for municipalities making decisions. It's equally important if members of the public are going to truly be engaged in the planning decisions that shape their communities. Good planning, after all, is the product of thoughtful decision-making and an engaged citizenry.

**1600**

Under our proposed legislation, applicants would know exactly what to submit in the planning application, because municipalities would be able to specify in their official plans what information a proponent must provide. This is commonly known as the complete application. In this way, municipalities and the public will have the complete information they need to assess the applications, and it means that municipal councils will have the necessary information to make good decisions.

To further provide clarity and certainty about planning matters, municipalities would need to keep major planning documents up to date. As I've mentioned before, official plans will need to be updated every five years, and zoning bylaws that, in effect, support the official plan or implement the official plan would need to be updated within three years of the official plan coming into effect.

As well, under our proposed legislation, planning decisions would be based on provincial plans and policies in effect at the time the decisions are made on the specific applications, not on plans and policies in



place when an application is first submitted. This is a significant change. It's the rules and regulations and laws that are in effect at the time when the decision is actually made that becomes the important time factor, not when the application was submitted.

We want to put more information, participation and consultation at the front end of the planning system, where they should be, to support good decision-making.

Finally, I want to talk about reforming the Ontario Municipal Board, which I know many members of the House have heard about over the last number of years. An important way to support good decision-making about planning matters is to make sure that land use disputes are resolved in a more transparent and effective manner. Currently, as we all know, the Ontario Municipal Board is the body that handles these disputes. Our government believes that the OMB can still play an important role in settling land use planning disputes. We think that Ontario citizens should continue to have the opportunity to appeal land use decisions that affect their own property and their communities. An independent public body like the Ontario Municipal Board is best situated to manage these types of appeals where there is a need to balance the broader public interest of all Ontarians. However, we think we need to make some important changes to that board to make it more user-friendly, to make it more efficient and to make it more accessible to the public.

You may be interested in knowing that the OMB was created back in 1897. Even as its scope of responsibilities has changed over time, it has still retained many of its original powers. Through our proposed planning reforms, our government has recommended that the role of the OMB be updated. The OMB, as I mentioned before, should continue to hear appeals on matters of broad public interest for well-planned growth, such as official plans and zoning, but we should also provide municipalities with more accountability on local planning matters to help streamline the appeal process. For example, instead of having the OMB spend a significant amount of time dealing with certain local issues like minor variances for home additions, we're proposing that such matters could be handled locally by providing municipalities with the option to create a local appeal body that could include citizens from the community. In situations where the provincial interest is not involved, which is normally the case with respect to minor variances, the province simply should not be involved in adjudicating that, if it is the wish of the local council to set up the local appeals body. In cases where the local council does not want to do that, any appeal will continue to be referred to the Ontario Municipal Board.

We're also proposing to clarify the role of the OMB by requiring it to give greater weight to the municipal planning process and the decisions of local councils on planning issues, provided that those decisions are based on the provincial policy statement and a municipality's own official plan. The OMB would hear appeals on information and materials that were before council when it

made its decision on a planning matter, unless the OMB determines that the information could not have been provided earlier. The OMB could then decide to send the information back to council for reconsideration if it felt that the information was significant enough that council may have come to a different conclusion.

Similarly, appeals to the OMB would be limited to organizations or individuals who took part in the planning process at the local level, unless the matter is already appealed and the OMB determines that there are reasonable grounds to add the individual or organization as a party to the hearing later on.

These are proposed changes that we believe would, in the long term, help reduce the number of appeals and the duration of OMB hearings, and give local communities a more important role in community planning.

We've also proposed a number of administrative reforms to make the OMB more accessible to the public and support good decision-making. These include that the best-qualified people are hearing appeals on planning matters, and establishing a citizen liaison function to help the public navigate the OMB process. We're proposing that these administrative reforms be considered by the Public Appointments Secretariat as part of its review of Ontario's agencies, boards and commissions. We're already working with the secretariat on that.

I have often pointed out how our proposed legislation would give municipalities more authority to make planning decisions in the best interests of their communities and give citizens a greater voice in how their communities grow. But that's only one part of the equation. The other part is that municipalities and citizens will need to be accountable and responsible for making good use of these powers. If we're going to build a planning system that meets the challenges of the 21st century, a system that can begin to seriously tackle the interconnected problems of sprawl, gridlock, pollution and strain on our infrastructure, everyone—the province, municipal decision-makers, applicants and the citizens who have to live with the decisions that are made—will obviously have to do their part.

For over two years, we have engaged all these parties in discussions on how to improve the land use planning system. We continue to invite Ontarians to share their views on what changes were needed and are needed to Ontario's planning system. We are a government that believes that those who have an important role in community planning should have the opportunity to express their perspectives. In these consultations, we've listened to the views of planners, developers, ratepayers, environmental groups and others about how the planning system can be reformed to help build more sustainable and livable communities. We've held extensive discussions with municipalities and their planners about planning reform, for our government understands that municipal leaders know what their local communities need to thrive and prosper. Most importantly, we've listened to the public and to what it had to say about how their communities should grow and develop in the 21st century.



During these consultations, we've heard from literally thousands of people and organizations.

**1610**

The proposed legislation is the result of this far-reaching consultative process. I'm extremely proud of how we have engaged everyone in such a positive dialogue. Many have already commended us for our approach and for the contents of this proposed bill. I just want to refer to a few of them.

For example, Mississauga Mayor Hazel McCallion has said, "Through the government's proposals, local governments would be more accountable for planning decisions. The OMB will act as a true appeal body, not as a substitute decision-maker."

I can't repeat that often enough. The OMB should not be a primary decision body, but should deal strictly with appeals of matters that come before council, on which a council decision is made, and whether or not that decision is in accordance with the provincial policy statement and the municipality's own official plan.

Roger Anderson, chair of Durham region and president of the Association of Municipalities of Ontario, stated, "The planning system, including the Ontario Municipal Board, must better respect local decision-making and the responsible role of municipal government. The proposed legislation ... will strengthen community planning at the grassroots level."

In addition to acknowledging the importance of local accountability, municipal leaders have also supported our effort to improve the effectiveness of the planning system. The mayor of Ajax, Steve Parish, has stated, "In shifting the emphasis on public involvement and overall decision-making to the front end of the planning process, the government is proposing a more effective and transparent approach to land use planning."

The mayor of Southwest Middlesex, Doug Reycraft, states, "Rural municipalities welcome the planning reform that the Ontario government is proposing. These planning tools would ensure that we are better equipped to manage our lands more effectively and to meet the specific needs of our communities."

An editorial in the *Toronto Star* pointed out, "With this welcome rebalance of power, cities should be able to have more control over their fate, making them better able to serve all their residents."

But it's not just municipal politicians who recognize the benefits of our proposed planning reforms. Experts in the planning community have also pointed this out: people like David Crombie of the Canadian Urban Institute, who has said, "With these latest reforms, the government continues to move forward in redeveloping brownfields, promoting good urban design and building more sustainable communities."

Joe Berridge of Urban Strategies has suggested that "the proposed planning reforms would encourage a more flexible and hopefully less contentious approach to the development approval process. This is good planning from the government."

Finally, Lisa Bate of the Ontario Association of Architects has stated that the proposed planning reforms

"can improve the quality of our cities and towns and promote environmentally sustainable development."

I would like to acknowledge the many organizations and individuals who have provided valuable advice to our planning reform agenda, and who continue to provide input on this proposed legislation. I'm sure we will hear more of these views as we consider this legislation here and hopefully, after second reading, at the committee level.

I know that while there are many different points of view, it's safe to say that we share a common and important goal; that is, to build a better land use planning system that offers clarity, accessibility and certainty for municipalities, for applicants and for our citizens; a land use planning system that includes the right kinds of tools to support more strategic and sustainable growth.

As we move forward with our planning reform agenda, our government knows that it is critical to work together with our municipal partners, the public and all the various stakeholders who will contribute to building the more vibrant and sustainable communities that Ontarians want, need and deserve. I'm confident that the steady progress we are making toward excellence in community planning will contribute to enhancing the quality of life of all Ontarians.

With that, I will turn the rest of my time over to my parliamentary assistant, the member from York West.

**Mr. Mario Sergio (York West):** I am pleased to participate today in the debate on second reading of the proposed Planning and Conservation Land Statute Law Amendment Act, 2006. I welcome this opportunity to discuss how the proposed legislation would contribute to better development and more sustainable growth in our province.

Our government has a vision for Ontario's communities: communities that are stronger, more livable and more sustainable. The proposed legislation has an important role in helping us to realize this vision by making Ontario's land use planning system more effective and giving municipalities more tools to support good planning.

When we look around our communities, we see examples of successful community planning. There are communities where new buildings have been designed to fit in with the character of the rest of the community, where energy-efficient technology and innovative methods have been used to develop environmentally friendly buildings and neighbourhoods. There are communities where there is an appropriate balance between green space and development, where natural heritage features have been preserved, and water, farmland and wetlands protected. We see examples of communities that have been rejuvenated, where old, abandoned industrial areas have been transformed into vibrant, multi-use neighbourhoods where people can walk to grocery stores, schools and parks, or use an effective network of roads and public transit systems to reach their destinations.

While there certainly are many examples of good planning and good development across our province, we



know of the immense pressures that can be caused by growth if it is not managed carefully. We are well aware that Ontario faces some notable challenges when it comes to building a sustainable future. With Ontario's population expected to increase by about four million people over the next 25 years, we know we have to change the way our communities grow. Current patterns of growth are simply not sustainable. They place a heavy strain on our infrastructure, contribute to stifling gridlock, negatively affect our air quality, and threaten to reduce the province's economic competitiveness and quality of life, impacting the very features of communities that attract investment and innovation.

Gridlock and clogged border crossings cost the Ontario economy more than \$5 billion a year. More than 154,000 acres of farmland and countryside, an area almost as big as the city of Toronto, have been developed in the greater Golden Horseshoe since 1993. If we don't change our growth patterns, it is predicted that almost 250,000 more acres of farmland and countryside will be paved over in the next 25 years. Gridlock could worsen, with commute times increasing by up to 45%. Harmful emissions from vehicles could increase by up to 42%.

The costs of lost productivity, the depletion of precious natural resources and the threat to public health are just too much to ignore. Previous governments have failed to address these challenges in any meaningful fashion. Our government will not allow this to happen. We are committed to managing this growth intelligently and to making sure that green space is preserved and land is used wisely.

The McGuinty government has already taken decisive action and laid the foundation to tackle these challenges. We have brought in some significant legislation and made a crucial investment in our communities to make up for years of neglect. Our major accomplishments include the greenbelt plan, which permanently protects some 1.8 million acres of valuable green space; our growth planning initiatives; and our ongoing investments in public transit, including \$838 million that was provided in our government's 2006 budget. This builds upon the commitment our government made last year to provide municipalities with a share of provincial gas tax revenues to support transit—an investment of \$680 million.

**1620**

The proposed legislation is another vital part of our coordinated strategy to manage and plan for growth in a comprehensive fashion. Under the proposed planning reforms, municipalities would be given the planning and financing tools they need to use land, resources and infrastructure in a more effective manner. This includes the ability to regulate the minimum, along with the maximum, height and density of their communities. The proposed legislation would also give municipalities greater powers to shape the environmental qualities of their communities. There would be new financial and planning tools to facilitate the redevelopment of brownfields.

All of these measures would support our goals for intensification, curbing sprawl and building more com-

pact communities that make use of land and services more efficiently.

Our government has demonstrated time and time again that we respect municipalities. We recognize they are a mature order of government that can ably represent the needs of their communities and their residents. So in addition to providing more tools to support sustainable development, our proposed planning reforms would also give local governments more opportunity and accountability for community planning.

One of the key ways we would emphasize local accountability for land use planning would be through our proposed changes to the Ontario Municipal Board, an area that municipal leaders have often stated should be addressed. Our government made a commitment to reform the OMB, and we are keeping that promise. By bringing forward reforms to the OMB, we want to protect local decision-making. We want to return the OMB to its original role as an appeal body for local planning matters, rather than acting as a main decision-maker.

While municipalities would have more authority over planning matters, our proposed legislation would also mean that municipalities have greater responsibilities. This includes providing more information and opportunity for public consultation early on in the planning process so that public input on planning issues is truly meaningful and given serious consideration.

Municipalities would also have the responsibility to keep their planning documents current and up to date, and make sure that they reflect provincial plans and policies. This means that municipalities would have an important role in, and be accountable for, implementing measures that support the province's framework for sustainable growth and development.

In developing this legislation, we realize that the province, municipalities and everyone involved in planning and building our communities have an instrumental role in meeting our targets for sustainable development. Our government is confident that the proposed legislation will help facilitate this and contribute to a more effective and transparent planning process.

For the last couple of years we consulted widely on planning reform. The input we received was extremely useful and helped us draft this legislation. Moving ahead with the legislative process, we will continue to listen to the perspectives and ideas that will help us implement planning reforms in the best possible manner.

We are at a critical juncture in our province's history. Our government believes we have a fundamental responsibility to Ontarians to directly address growth and sustainability issues. We will not ignore the challenge that Ontario faces. Through our proposed planning reforms, we are again taking decisive action to strategically manage growth, for our quality of life depends on how well we support sustainable development, now and in the years to come.

I thank you, Mr. Speaker, for the time allotted me today.

**The Acting Speaker:** It's time for questions and comments.



**Mr. Gerry Martiniuk (Cambridge):** I listened with interest to the minister and his parliamentary assistant, and I look forward to substantial and lengthy committee hearings in regard to this bill.

The Ontario Municipal Board, as the minister stated, has been in existence for a substantial length of time. Primarily, it hears appeals from the municipality, and there are usually three parties: a ratepayer or citizens' organization, the municipality and its planning staff, and of course the developer. Making the Ontario Municipal Board, for the first time, a true appellant tribunal rather than a tribunal of first hearing leads to real difficulty and may mean the elimination of ratepayer participation in this tribunal, for a very simple reason. Developers, of course, are planning ahead for probably a year, preparing all their documentation, because you cannot put in new evidence at the appellate court level. The municipality, of course, works with the developer and has been involved for a year. The ratepayers usually get involved at the last minute and will not have the time to adequately present the documentation required. That may mean they will be out of luck if they lose at the local level and wish to appeal it, because their documentation has not been complete. This is something we do have to explore. It's a very important point.

**Mr. Rosario Marchese (Trinity-Spadina):** Speaker, I know the minister will have plenty of cheerleaders in the backbenches to defend the bill, but I wanted to comment on three things that I'll be focusing on at around 5:30 or 5:35. I know that you, as the lead speaker, will have much more to add to the three elements that I'm going to speak to.

I want to mention that neither the minister nor the parliamentary assistant talked about reform of the Ontario Municipal Board appointment process. The concern we had when the Tories were in power was that they appointed their friends—pro-development friends—to the OMB. They made no bones about it, and they had many friends in the development industry to serve willingly and happily. The problem is that we now have, instead of Tory appointees, Liberal pro-development appointees, and all that would change here is the colour. But it's the same kind of development money and power. I'm going to speak to that, because I really believe we need to have some experts who are knowledgeable on the environment, some experts who have knowledge of properties that are heritage in nature that I think we should be protecting. So I'll talk about that.

I'll talk about intervenor funding. We know that when there are communities that want to take on developers, they do so at their own cost. I've got to tell you, good listeners, it's pricey when you take on the developers at the OMB. Citizens have to have bake sales and who knows what to raise the money to fight the good developers, who have plenty of money. So I'll be talking about that.

And I'll be talking about section 23 of the bill. New Democrats argue that it has to be removed because it exempts virtually all energy-related programs from the

provisions of the Planning Act, and I'll be speaking to that.

**Ms. Kathleen O. Wynne (Don Valley West):** I'm happy to rise to speak to Bill 51. I wanted to speak about two aspects; first of all, the substance of the bill. I'm very happy that this bill has come forward. I'm very happy that we're going to be making the reforms that are in this bill. The idea that we would have the OMB as truly an appeal body, the idea that municipalities would have more control over the design, over the density, over the growth in their communities, I think, is a really important issue for us to put forward.

The member for Trinity-Spadina speaks with some disdain about development. I think what we're saying is, we need the right kind of development and we need more local control over that kind of development. There's no doubt—and as a Toronto member, he knows this—that we are going to have more people moving into this city, and we need to have local control over the kind of development that happens in the city.

1630

The second piece I want to talk about is the public participation that the minister spoke to. The amount of consultation that has gone into this bill has been broad. It has been at the ministerial level, but it has also been at the local level. I want to acknowledge some of the folks in my community of Don Valley West, particularly the members of FoNTRA, which is the Federation of North Toronto Ratepayers Associations—that group takes in a broad swath of ratepayers around the city—and particularly George Milbrandt, who has really been my contact on this legislation and on the whole issue of local control over planning. It's very important that we, as MPPs, have people like George Milbrandt, who are sounding boards for us whom we can talk to about issues and who continually come back and don't let us get away from the issues. I want to thank them for all they have done in informing me and the ministry about this issue.

**Mr. Tim Hudak (Erie-Lincoln):** I'm pleased to join the debate, and appreciate the comments of the Minister of Municipal Affairs and Housing and the comments of the member for York West as well. I do look forward to the comments from our very able and hard-working critic, the member for Oxford, who I believe will be speaking next and who has done a lot of research on this issue.

I did want to say to the Minister of Municipal Affairs, who was just speaking about this bill, that I do hope he will respond on a related matter: the town of Fort Erie's request with respect to their ballot item on the region of Niagara. Members opposite talked about the consultation involved. The minister has not deigned to reply yet to that municipality, despite waiting for several months. I do hope the minister gives them the courtesy of a reply on that issue.

No doubt, the minister, on acts like these—it reminds me of the Greenbelt Act—is caught between a rock and a hard place. You talk about pressure for development—certainly we now are seeing the impacts of the leapfrog



effect on greenbelt communities. My colleague from Simcoe North, for example, is very concerned about leapfrogging in his area. Actually, I was in Guelph last night, and they're also very concerned about the impact of leapfrogging. We're not actually seeing the intensification that the minister boasted would come as a result of the Greenbelt Act. In fact, it's quite the opposite: Development is simply leapfrogging over the greenbelt and causing the same pressure issues in those communities.

On that topic, I also want to put in a plug for a couple of farmers in the Grimsby area who have the backing of the town council and, I hope, the region of Niagara with respect to farm severances that had been allowed previously and are now banned under the Greenbelt Act.

I do appreciate the minister's and the member from York West's comments in this area, and wanted to add those local issues as part of the debate.

**The Acting Speaker:** The member from York West has two minutes to respond.

**Mr. Sergio:** I want to thank all the members who made a contribution on Bill 51. I congratulate the Premier for his foresight and Minister Gerretsen for bringing this particular piece of legislation to second reading. I can see that there is a lot of interest. I would like to see the bill proceed accordingly. Even though it has already received wide input, I think we would like to see this piece of legislation come to a conclusion, and we will take into consideration whatever concern the opposition has expressed, and will continue to listen to the public out there as well.

There is a lot of support with respect to the intent of the bill throughout various municipalities. I think we have to look into the important aspects the bill is presenting, not only to the House but to the various municipalities in general—two or three very important issues. Yes, one of those is making changes to the Ontario Municipal Board—for years, nothing has ever been done. It is with good vision that the minister has brought this document, making and recommending changes to the Ontario Municipal Board.

Another important area is the various powers this will give the local municipalities. When we say "power"—I think Minister Gerretsen addressed that very well—it is the responsibility we are giving the local municipalities for providing their own people, their own communities with good, solid planning. We are not giving them carte blanche. We understand that they are good, serious levels of government, and I'm sure they will be using the directions that this bill will give in a good way to promote good, stable development in their own community.

I thank all members for their contributions.

**The Acting Speaker:** Debate?

**Mr. Ernie Hardeman (Oxford):** I am pleased to rise and speak on Bill 51. From what we've heard so far on Bill 51, one would get the idea that it's a bill primarily about reform at the Ontario Municipal Board, because that indeed is what we've been hearing most about. But the title of the bill is the Planning and Conservation Land

Statute Law Amendment Act. The Ontario Municipal Board is not mentioned in the title of the bill, yet there is a great focus on the changes that will be made at the OMB. I think everyone, including myself and the Conservative caucus, would support some of the changes that are being proposed for the Ontario Municipal Board, recognizing that there have been a lot of instances where it doesn't seem to work the way it should. I think that looking at reforming the Ontario Municipal Board is a good approach.

The minister talks about empowering municipalities in the local planning process. As you go through this piece of legislation, although it's a very complicated piece of legislation, you will find that the planning process really doesn't change much for municipalities. There are a few areas where they have slightly more authority than they have in the present act, but in fact it really doesn't change much for them, save and except that there are 16 areas in the act that impose a greater onus on municipalities as they go through the planning process, but recognizing that when that planning process is finished, from the municipal standpoint, the objective, if they do not have a favourable decision for the development proposal, is that it then goes to the Ontario Municipal Board. So it doesn't really change much in the planning process for municipalities.

If you read the bill in its entirety, this isn't a process of giving more authority to municipalities. In fact, it is a downloading of the responsibility but an uploading of the authority in planning in the province, recognizing that there's one very specific thing in the act that points out that, from here on in, all decisions made by municipal planning authorities must be consistent with provincial policy.

I think what's worse than that in the bill is that, as the planning process proceeds through the municipality, not only does the application have to be consistent with provincial policy, but it must stay consistent with provincial policy, up to and including the passing of the approval. So if, in the process—and some of them could take years to go through—the province changes their policy statement in that period of time, then the application must go back to square one. The minister mentioned in his presentation that one of the main concerns he had was that the industry needs consistency.

Again, I'm happy to see that this legislation has finally come forward. It was one of the promises that I think was made during the election. I guess, from some of the other promises we've seen, it was made to get elected, but so far we hadn't seen any results on it. So after two and a half years it is good to see the legislation finally coming forward.

It's interesting that the government says that this new legislation, if passed, will make the Ontario Municipal Board more efficient and accessible, yet in the approach, as the minister spoke, I got the feeling that he was trying to make it almost impossible or very difficult for anyone to proceed to the Ontario Municipal Board. I don't know how one would call that making it more accessible, if it's more and more difficult to get a hearing before the board.



I just wanted to talk about some of the intervention of the government within the municipal planning process since the beginning of this government's term. I spent 14 years at the municipal level working with the planning process. In fact, I had the privilege, if one could call it that, of serving a number of years ago as a municipal politician with the former mayor of Toronto, Mayor John Sewell, who did a review of the planning process for the New Democratic government at the time. I had the opportunity to serve with John for the better part of a year to come up with policies for the Planning Act, and I very much enjoyed it. I think it's important that we all collectively work together to get the best possible structure for the planning process in Ontario.

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The reason I mention that is not because I did it, but because that's what was happening and has been happening for years. I find it interesting that today we hear the government say, "Oh my gosh, we've consulted to no end on this piece of legislation." As a member of the Legislature, this was the first I'd heard that any consulting was going on. I think they have some distance to go to do the type of consulting that has been done in previous years as our planning process in Ontario was developed. I would encourage the government, when we get through with the debate here on second reading, to go back out to committee hearings and hear from the public.

The other thing I wanted to say that's very important—the minister, in introducing the bill, talked about all the consultations with the municipalities. He even referred to the statements made by the municipal representatives. He talked to the people who are responsible for approving the process to build communities, but I never heard him mention the fact that he talked to the people who actually build the communities. It's so important that we talk to the development industry, the people who are actually going to put up the structures, to see what impact the policies that are being proposed are going to have on the industry in general.

Before I get to that, though, I just wanted to talk about some of the things this government has done since they've been in office related to the planning process that, in my opinion, uploaded the authority of the province over the planning process yet downloaded the job of doing it.

First, they froze the development on the Oak Ridges moraine. I think my colleague from Erie–Lincoln mentioned the greenbelt legislation that froze 1.8 million acres under the Greenbelt Protection Act. I'm not objecting to preserving green land or green space in our province. I'm a very strong proponent of conserving our farmland for farming, to not have urban sprawl and to use up all the land that's available. But they made that without consultation. In many months of questioning, the member from Erie–Lincoln was unable to get the scientific evidence that it actually protects 1.8 million acres of land. I'm sure that, if the science proved that 2.8 million acres should be protected, there would be support to do that, but there was no science to prove it. As was mentioned, leapfrogging has developed and we are

seeing a great increase in development and requests for approval in the land beyond the greenbelt as you go east and west of Toronto, where people want to develop outside the area that's being restricted.

The other thing the government did was to make some changes a while ago to the Planning Act, again without great consultation and without looking at what the impact of it would be, not only at the time they did it but I'm sure at the time when they were looking at bringing forward this act. They increased the length of time in which, before, an applicant could actually go to the Ontario Municipal Board with an application. They have now changed it so that they have to wait 180 days between the time that they introduced their application—the municipality has said that they have a completed application—it's 180 days from there before they can appeal a "no" decision or a decision not to their liking to the Ontario Municipal Board. Again, that didn't change the end result of decisions; it just increased the length of time that it took to do it.

The passing of the Places to Grow Act, further prescribing the locations and the form of development and introducing a draft growth plan for the greater Golden Horseshoe—that deals with the area in the Niagara Peninsula and the whole area of the Golden Horseshoe around Toronto and Niagara as to how we're going to see the future of that developed. That's not suggesting that the municipalities in those areas, the local people, get to make that decision. This is the policy that the province is putting in place and then saying that the municipalities don't have the authority to create the policy; they have the obligation to implement it according to the rules. I can tell you that the home builders of Ontario feel that there isn't an industry that has had more focus on it and so many regulations from government as they have as it affects the builders, developers, renovators, subcontractors, manufacturers, suppliers, professional firms and financial institutions. I could go on, but as you can see, it's everybody in development, who actually build our communities, who is having concerns.

Just to make sure we understand it, the industry creates over 440,000 jobs across Ontario and contributes more than \$14 billion in economic activity. I think that's an important part of our economy in the province of Ontario. When we pass laws that are going to so dramatically impact that industry, I think the least we could do is talk to that industry and see what impact this will have, and if it's not an acceptable level of impact, whether there are other ways we can accomplish the same goal on behalf of our society to develop sustainable communities and still allow the industry to move forward. Again, the number one issue with the industry is, they want certainty. They want to know, going into a development proposal, what is expected of them, what they have to produce, what they have to put together to create an application for development, and then they want to know, according to the rules the municipalities set in place, according to the policy statement of the province, what they have to do in order to get a successful application so they can develop and build our com-



munities. What they're looking for is certainty. They need to know where they're going. That's why I think it's so important that we look at this legislation and how it impacts the whole industry: consumers, municipalities, the provincial government and the people who actually do the building.

For those who are watching, as we get the bill introduced, the government puts a compendium with the bill, which outlines in general terms what this bill does and will accomplish if the bill is passed. There are quite a number of those, but I just want to go through and point out where we have some concerns as to what impact those things will have.

The first one on the list in the compendium was proposing to expand the "list of matters of provincial interest in section 2 of the act ... to include the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians." That's what the act is intended to do.

Remember, when I started I mentioned the fact that all municipal decisions must not have regard to provincial policy statements, as it presently is, but they must be consistent with provincial policy statements. So this part of the act actually says that the province can, at any time, if they believe that their policy is going to support public transit and be oriented to pedestrians, which is to try and bring higher density to an area—that's a provincial interest—then they can say that municipalities must be consistent with that. The minister mentioned in his statement that municipalities could, in a certain part of the act, decide the density, whether they want it higher or lower, or the height of buildings, whether they want them higher or lower. But that part of the act actually says that when the municipality decides other than what the province wants, they can just say, "Well, it's a provincial interest. We think we should have higher density in that part of our province, so you must have an official plan that says that's going to be a high-density area, because that's where we need the growth. There's a subway there, so obviously that's where you need high density." So there's no longer a choice for the municipality. They must be consistent with that provincial policy statement. Again, I don't think that's an area where they're giving municipal planning authority. I think it's a place where they're downloading the responsibility but uploading the authority.

The second one is a proposal to require "approval authorities or the Ontario Municipal Board" when making "decisions relating to planning matters ... to have regard to decisions made by municipal councils and approval authorities relating to the same planning matters." So now we have the provincial policy statement, we have the municipality being consistent with that and making a decision; then the application goes to the Ontario Municipal Board, and the Ontario Municipal Board "shall have regard to" the documents that the municipality has for them to make an approval.

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I guess I'm having a little trouble finding why we start with "shall be consistent with" the provincial policy

statement, and then when the arbitrator, the courts or the Ontario Municipal Board gets to make a decision as to whether it was appropriately made, they just have to "have regard to" the policy statement that must be consistent with the provincial policy statement. I think it gets confusing; it seems very contradictory. I'm a little concerned, and I would hope that as we go to committee hearings, the minister would explain why in one place it "shall have regard to" and in the second place we "shall be consistent with" on the same application. Again, there is no certainty there for the applicant, because in one place they can make decisions on criteria that are different than in the second place.

The next one is proposing to permit municipalities that meet the minimum requirements to have "power to establish optional local appeal bodies that would deal with certain planning matters instead of the Ontario Municipal Board." This one almost boggles the mind. There are going to be applications going in, and the planning authority, the local council, gets to make a decision on them and gets to appoint a board to review their decision. If the applicant doesn't like the decision, it can go to the local board that was appointed by council to arbitrate whether they should or shouldn't do that. To make sure that it is not at arm's length, the act actually regulates how long they can be appointed: They can only be appointed for the length of the term of council. So in fact, at the end of the council term, this body has to be reinstituted or they're all off the appeal board. To me, appointing the body to hear appeals, I would say, comes close to a kangaroo court, where in fact you appoint your own judge—

**Mr. John O'Toole (Durham):** They're all political appointments.

**Mr. Hardeman:** Well, even if it wasn't political, obviously they know that the appointment is dependent on making the decisions that their employer told them to make. In essence, the board, if appointed by the local council, will in fact be working for the local council, not for the local citizens who want to appeal.

The next one is proposing to make regulations "to specify additional matters to be included in official plans." Again, the authority is moving up, and the responsibility to implement is moving down. At any point in time that the provincial ministry decides they want to include more in the official plan, to be more restrictive, or more un-prescriptive—they want to open it up for whatever reason—they can do that under this section, and the municipalities, again, must be consistent with that policy. They can do that at any point in time.

Remember, they also said that all these applications must comply with the policy statement at the time. So if at any time there's a contentious application, if the minister decides—I'm sure the minister would not do this, but if there was an application in Kingston next door to the minister's house that he wasn't personally too inclined to support, he could actually say, "We're going to have a provincial policy statement that says you cannot have that type of development in a residential area, even



though it was allowed at the time. That regulation could be passed. You must be consistent with the provincial policy statement.” At that point, that application would die on the vine because you could not get by the fact that it must comply with the policy statement at the time of the passing of the application, not at the time of the application being accepted as a completed application.

The next one is proposing to limit Ontario Municipal Board hearings with respect to certain planning matters, which are generally limited to the information and parties that were before the municipal council whose decision is being appealed. I think it was mentioned in one of the questions and comments. This one is very troubling, to the point that for every application that comes before council, if you have any interest in that application or in the principle of the application, you must be there, and you must be there with all the documentation you want to use if and when this application should go to the Ontario Municipal Board. If the application is then approved—and you can make an assumption that it wasn’t going to be approved, so you didn’t bother—you can’t have standing at the Ontario Municipal Board because you were not involved at the original hearing at council. Of course, if you go to the council hearing just to hear what’s being said and the decision goes contrary to what you would like and you want to go, you cannot bring new evidence. So in reality, if you were there just listening, even though you were there, you can’t bring a professional in to put forward your point of view as to what’s wrong with that.

What is further problematic with this is that if it’s an application that is being appealed because it wasn’t approved, the municipality will be allowed to bring in new evidence. It doesn’t put a prohibition on the municipality’s putting information and bringing more expertise before the Ontario Municipal Board. So that’s of grave concern, and the issue of what the average citizen would do—how much time and how much effort you can put into getting a case for every application you may or may not have an interest in as it proceeds past the council process and goes to the Ontario Municipal Board, whether you are for or against it.

This is also true for applicants who go to council and put their application before council. They’ve worked with all the municipal staff for an extended period of time to make sure what they’ve got is considered a reasonable application and there’s not much else they could do, and the planner at the planning office says, “If there’s anything that council wants that’s different from what is being proposed, we can change that and get that added to it,” and all of a sudden they go forward with this application, assuming it was all fine, and when it goes through, it doesn’t make it—the members of council, for whatever reason, have decided that the public is not supportive of the application so they’re not going to support it. Now we have this problem: We don’t have everybody with the proper evidence and we can’t put more evidence before the OMB than we had at the local meeting, unless you can convince the Ontario Municipal Board that it

should be required, that you do have more information and you can explain why you didn’t have it. It appears that you can then bring it forward, but the OMB can then say, “Yes, that would make a significant difference to your case, but that also would have made a significant difference to the case as it was before council. I think you should go back to council and do this all over again,” and there they are. So again, that’s a big problem.

The next one is proposing to improve the requirements for public notice information and consultation. I have no problem with the fact that there are a lot of areas where it has increased timelines for things to happen, to make sure everyone has time to get all their ducks in order before the application is actually heard and also to extend some of the areas of time, where the municipalities must respond in a certain length of time. A lot of municipal planning departments have said that the present numbers are quite tight, so they sometimes can’t make the deadlines that are required. I think this act sets out some more realistic timelines, and I don’t have a great problem with that. But again I want to point out that every time you extend the timeline, you also extend the timeline for how long it takes for someone to get something from a good idea to finally getting it approved.

**1700**

The next one: Section 28 of the act is to strengthen and clarify the requirement to update official plans. Again, I think it’s an important thing for the public to be aware what the rules are in their municipality, for some security and some certainty in our development industry, to know what the rules are. So as the provincial policy statements are changed from time to time, the municipalities will have to make sure that their official plan is updated on a regular basis to make sure that they comply with the provincial policy statement.

The next one is expanding the scope of community improvement areas, and in fact allowing municipalities, both the upper tier and the lower tier in places where we have two tiers, to work together to have community improvement areas and to pay for that, and to help different businesses and so forth. I don’t think that’s a contentious issue. I think we could all agree with that principle.

There is a small part of that that is a little bit problematic, I think. They can prescribe conditions on the zoning as to what you can or can’t do with what is presently already zoned. A land use right that you would have on that property today could be changed under that section of the act, and you no longer would have that.

The next one is proposing to permit municipalities to establish second units as a right in houses. I know that’s been a contentious issue, particularly, Mr. Speaker, as you would be aware, in a lot of the city of Toronto, where we have residential areas where all of a sudden everybody found that they were living in multi-residential units, because so many of the units had a separate rental unit somewhere in the house. I’m sure that everyone who is proposing to do that in their house believes that’s a good thing. My house is of such a vintage that it



could have two units without great difficulty, but there are a lot of people living in that same area who object to that. This act is actually going to say that the municipality, without any consultation or anything, could change the act, their zoning, to allow second units as a right. That would mean that you would not have to apply and make sure you complied with the community if the planning department approved it as a right that everyone could then have the second unit. In some areas, that would be a bit of a problem.

The next one is proposing to restrict the Ontario Municipal Board's power to determine appeals of ministerial zoning orders under section 47 if the minister were to be of the opinion that all or any part of the requested changes adversely affect matters of provincial interest. I think it's rather strange that they would put that in. I'm not aware that there's been a great problem in minister's zoning orders being appealed. But it seems strange that you would put it in. Again, we have all these things on policy. Of course, ministerial zoning orders are generally to zone a whole tract of land in order to accommodate something that the whole tract is not eligible for, but that's the right place to put it. So rather than having each present landowner apply for it to be rezoned, the minister puts a zoning order on it. Then when it's all complete and the development is intact, the local municipality approves the zoning on it, to where the minister's order put it.

I've had personal involvement—not direct involvement, but in my municipality it's happened twice that I'm aware of. In both cases, it was for an automotive assembly plant. In fact, when they decided where the general location was that they wanted to go, they then went around and put a minister's zoning order on it, as they optioned the property, to make sure that at some point in time they wouldn't end up having all the land optioned or purchased and then find out that they couldn't get the zoning because of the surrounding criteria or one or two of the landowners. So they put on the minister's zoning order. I don't know why this act would suggest that the Ontario Municipal Board should not be allowed to hear an application that related to—even if it was a provincial interest, that would come out, and then because the act in its entirety says that if it's in the provincial interest, the municipal authority must be consistent with it. The Ontario Municipal Board would not do that.

In the next section, it says that in replacing the Ontario Municipal Board in those situations, we're going to have the Lieutenant Governor in Council make that decision. I guess it would be less convoluted if one would just come out and say that if it's a minister's zoning order, it's not appealable. Obviously, we know that Lieutenant Governor in Council approval would be that the minister would recommend to cabinet that the Premier sign this minister's zoning order and it couldn't be appealed. To me, that's really about the end of the deal. I don't see why they went to such great lengths to talk about the minister's zoning orders and the appealability of them.

The other thing—I think it's a positive in the act, and I think it was in the earlier ones—is the issue of the

appeals authority that the local council can set up among themselves. The only two decisions they can make are on consent applications where we divide the property; incidentally, that will work well, as was mentioned by our member from Erie—Lincoln. Farm severances would be done by the local council. If they have the authority to appoint these authorities, they could now have the land severances again because the appeal would go to their appointees. I think it's also interesting to note that none of those can be against the provincial policy. So the severances are fairly well controlled, because they're not a given in a change of land use. I don't think it was going to help much, but I think that would be the area.

Now, the other thing: the land conservation act. As I said, there were a lot of people, as we looked at the title when the bill first came out—we had real concerns that there would be a lot of conservation issues in the bill. In fact, I just want to assure everybody that we didn't need this referred to the Minister of Natural Resources, because this really isn't about conservation lands; it's about how you deal with conservation easements in the land use planning process when they are part of the application, and the fact that they fall within the Planning Act and that the conservation easements would automatically stay with the land, regardless of what the use of the land became.

The other ones deal with the same thing: the fact that the easements stay in place when the land changes ownership or changes use; the easements cannot be lost through it.

There's a change proposed to the Municipal Act to clarify that land sold for tax arrears remains subject to the conservation easement covenants. Again, it just clarifies that if you look at selling property for taxes, the number one mortgage holder is the municipality. They get the land and sell it for taxes. They have to sell this liability—most easements are a liability and considered an impediment to clear title to the property, so they would not be enhancing the price of the property. This makes sure that that stays in there.

The other thing I just wanted to quickly touch on is the issue of conservation lands. There seems to be an ability to deal with this without the government's great involvement using the source water protection act that was just introduced by the Ministry of the Environment. In fact, the requirements under the source water protection act can be implemented in this document without imposing the penalty on the government that's doing it. I think that's a big issue. When they say that the act will actually decrease the amount of activity you can do on a piece of property, according to the source water protection act, this will say that's a proposal they can use.

#### 1710

I just want to go through this quickly. The purpose of this bill, and this is the definition of the act from the ministry's website, is to "Provide new planning rules and planning tools to strengthen implementation of provincial policies and municipal priorities." Again, this seems to me somewhat contradictory to what the minister says the



intent of the act is—"to strengthen implementation of provincial policies and municipal priorities," provided that they are the same. But if they're not the same, the first one is the provincial policy. So this is an act to implement the provincial policies in land use planning.

"Provide new planning rules and expanded/enhanced planning tools to facilitate intensification/brownfield redevelopment, sustainable development and community/design features." If you look at the act and look, not at the provincial policy statements but at what the act does to accommodate that statement, in fact it doesn't happen. This act is set up to "facilitate intensification/brownfield redevelopment, sustainable development and community/design features," according to provincial policy statements. So this is a process of how we will have the municipality implement provincial policies. Again, that's uploading the authority and downloading the responsibility.

"Provide for an optional local appeal body that, if established by a municipality, would hear appeals of decisions on minor variances and consents." That's all they would get to hear, so all the others would still go to the Ontario Municipal Board.

"Provide new rules for information, materials and parties at OMB hearings." Right now, the Ontario Municipal Board plays a critical role in Ontario's land use planning process, ensuring that this is an independent public body to settle land use disputes. That's what it is right now. There doesn't seem to me to be a whole lot that changes that. They are changing the criteria of how you get an application to the Ontario Municipal Board, but it really doesn't go to any great lengths to actually change what the Ontario Municipal Board does. Fewer applications may go there, but there is nothing that would really suggest you would come up with different decisions, particularly going back to the Ontario Municipal Board and that it must just "have regard to" municipal decisions where the municipalities must "be consistent with" provincial policy.

"Proposed reforms to the OMB would support local decision-making while protecting broader public interest." Again, I see absolutely nothing to show that the OMB is going to be more receptive to supporting municipal or local decision-making.

Then it says, "Provide other technical amendments to the Planning Act that would improve administrative planning processes and clarify existing provisions in the Planning Act and related regulations." I think that clarification is so important. I'm not suggesting that this act does it, but that's what people want. They want clarification of what the rules of the game are and how they're going to be implemented, and that's not what the act does.

I have here a few things from the Urban Development Institute. That's a group of folks that does a lot of development work in the Toronto area. It says the developers are worried that the province will go too far in its reforms to appease voters who don't like the OMB. This was written prior to the act being introduced. They

saw the concern. They are very supportive of having the Ontario Municipal Board be the final arbitrator on the application. The issue is not about the timing of when the council hears it or when the OMB hears it. All they want is to be sure that they get a fair hearing based on the rules of the game, and then they should get approval or non-approval, but it should be equitable and fair to everyone. At that time they were worried that they were going to go too far to appease the voters who don't like the OMB. This is a listing of them:

"Curtailling private rights that provide necessary checks and balances within the system will not result in better decisions." I think that's so important. I think their concern is that they want good decisions. They don't necessarily always expect a positive one, but they want fair and good decisions made.

"Frontloading the process and requiring upfront investment needs to go hand in hand with increased certainty." Again, if they have to put more into the application right up front, then they need the rules to be very clear, because the higher the investment, the more certainty we need that if we follow all the rules and do everything, then at the end it will be a decision based on policy, not a decision based on the not-in-my-backyard syndrome or whatever that's called.

"Increasing cost delays that do not result in a clear and undeniable benefit is not in the public's best interest." We have to remember that any increase in cost at the end of the day is paid for by the consumer who purchases whatever it is that's being built.

It says here, "Legislation is not the appropriate tool to solve problems of perception." Again, when you're looking at solving the problem, then make sure you have a problem that you're solving, not just anecdotal evidence that this may have happened. I don't know how many—I mentioned that with the minister's zoning order. I've never heard of anyone, or a great number of people, having a problem with going to the OMB and causing a great delay with minister's zoning orders. But the perception is there, so all of a sudden we're making changes.

"Overregulation can unintentionally complicate and stymie informal processes that currently work." Again, that's the concern they have. They're working fairly well within the industry and within the planning departments of the municipalities, and they're very concerned that if too much of this becomes the political as opposed to the administrative process, it will not work.

"Increasing the mandate of municipalities without increasing resources available to municipalities will cause undue delay and could threaten the implementation of the provincial growth plans." It goes back to the responsibility and the authority. So far, there are 16 places where the act imposes things on municipalities—things they must do more. There is nothing that benefits the municipality as far as the cost-benefit of doing those things. Again, they're suggesting that the municipalities, if they don't get it from there, will get it from the industry itself and it will become part of the increased cost.

"The UDI suggests that Bill 51 not proceed to second reading until the province consults with stakeholders with



respect to the proposed sections of the bill that will be implemented through regulations, and draft regulations based on stakeholders' input are released." They want to see the documents that actually make the bill work. So far, we have nothing but hypothetical things in the bill, but the actual regulations of what happens are what they need to see.

Neil Rodgers, president of the Urban Development Institute, said, "Increasing the power of city councils may allow them to make politically motivated decisions against the broad public interest. It brings up the question of how much politics was involved in a decision versus a good planning decision." I think it is very important that we don't overlook the fact that sometimes politicians, I suppose in every aspect, make decisions for—what do we call that? "We made the wrong decision for the right reasons or the right decision for the wrong reasons." Sometimes they're made for political reasons, but we have to make sure that planning is made on good planning principles. His concern is that if you don't have the ability to bring an impartial third party into the system, then the political optics, if not the fact, will always be that the group that created the greatest number of people at the hearing will be the ones who win out in the end.

1720

This was in the *Globe and Mail* in December:

"But Neil Rodgers, president of the Urban Development Institute of Ontario, cautioned that the minister will have to be prepared to step in to protect the provincial interest in good planning.

"It would take one or two events for him to demonstrate that, if councils don't make decisions that are in the broad public interest, he won't be afraid to do it, and I encourage him to do so if the need arises," Mr. Rodgers said."

This really points out that even the development industry realizes that the ability of the minister to direct planning in this province is immensely increased by this piece of legislation. It's purported to be bringing the responsibility for good planning to local government, but in fact all players realize that the minister has a lot of power to be able to set a provincial policy and then say everybody must adhere to that with no public input, with no anything. So he could do that in an individual situation.

The OMB changes are a great concern for the development institute:

"UDI takes strong exception to the provisions in the bill that would continue to allow public bodies to introduce new evidence at hearings while at the same time restricting the opportunity for other hearing participants to do so. This double standard runs counter to rights of natural justice."

I think that's the number one issue when it comes to the reforms to the OMB. The number one issue is the fact that the restriction of things going in—because, as was mentioned earlier, it's like an appellate court. The information going in is the information that was before the decision-making body, but the municipality or the

proponent of the other side of the issue is allowed to bring in other evidence and more experts. That's their number one concern.

"In order to protect their rights in case of an appeal, applicants and interested parties will be motivated to file vast amounts of material, (essentially pre-filing OMB cases), prior to municipal council making a decision on an application—materials that are unlikely to be viewed by council."

You're going to see applications with boxes and boxes full of material going to the original hearing at council. Right now—and the Speaker being a former mayor would know—council doesn't always spend three days on every planning application to review all the information to make sure that they're making the proper decision. In my time as mayor, it was usually based on a 20-minute or half-hour time slot when you would have staff explain the application to make things happen. The UDI says that under this piece of legislation and the reform at the Ontario Municipal Board, you will see everybody filing all this information. When they file all the information and council doesn't look at it, then nothing has changed from previously, except that when it goes to the OMB, it's all there and all ready.

The Ontario Municipal Board does not decide that information which council considered. Their only objective is the information that was before council and anyone who spoke there or was there. So if it was a citizens' group that just came in to hear the application at council, then of course somebody would have to keep notes of who was there, because if they didn't speak, there would be no record of it and then it's quite possible that the Ontario Municipal Board would say, "No, you were not involved in the original decision; you're not allowed to be in this one."

"UDI submits that these proposed provisions are not in the public's ... interest and, if left unchanged, will have a host of unintended consequences, including adding unnecessary costs (time and legal fees) to developers, ratepayers and municipalities and could potentially undermine the province's growth plan objectives."

This is the important thing as I listened to the minister speak about the municipal support for this piece of legislation. One of the things that was loud and clear from each of the municipal people was the cost of OMB hearings, and this new act would change because they would no longer be having as many hearings. The only hearings that are being reduced in this are those that relate to "minor variances and consents." All others are still eligible to go to the Ontario Municipal Board. It's just that the process to get there will be longer and much more evolved. There will be a lot more information going to council and the decision-makers at the local level, but every one that is not approved still has the right to go to the Ontario Municipal Board with that same information. What we have is developing every application for an OMB hearing, if necessary, before it goes to council as opposed to after it goes to council. So it's going to greatly increase the cost of a lot of OMB hearings.



The one thing I find interesting in this is that if municipalities deem this to reduce the number of OMB cases, it would have to be because the decision council is going to make is more often not going to require an OMB review. If that is what happens, then I would stand here this afternoon and support that 100%. If more information is given to council, and council makes decisions based on having more information and greater ability to make right decisions, and makes right decisions more often, which don't require a third party, I support that 100%. But that's not what the evidence shows.

I have here a whole number of issues that the good folks at the Urban Development Institute have put forward, but I won't put them all on the record.

I have another quote here, from the Greater Toronto Home Builders' Association. This is another sector, and they're presently working together with the Urban Development Institute. In fact, there is some discussion that they may become one organization because, again, they're looking for the most effective and efficient way to deliver their services too.

This is from the home builders: "Over the past two years the building and development industry has been drastically overhauled by this government. The Greenbelt Protection Act, Planning Act reform, Places to Grow, proposed OBC changes, WSIB, Clean Water Act and many more reforms have changed the way we in the development industry do business. We have been consistent in our position that we are in favour, in principle, of much of the legislative changes."

Again, this is not to find fault with all the things that the government has been doing; they support most of that. But, "We have been equally vocal that while these changes are needed in order to manage and accommodate further growth, it is imperative that we offer Ontarians a broad choice in housing forms and allow them to make a choice based on their individual lifestyle needs and wants."

Again, one size doesn't fit all. Their suggestion is that the government has done a lot of good things, but this one here seems to be trying to pigeonhole it all into, "You have to do it the way the provincial government deems the most appropriate way," and there's some great concern about that.

I saw the minister of infrastructure renewal sitting there smiling because he was pleased that the home builders were agreeing with the government. I just want to take the smile away now:

"GTHBA has significant concerns considering Bill 51's importance and that it is one of the last pieces of reform to Ontario's planning system. Recent provincial initiatives, from the new ... policy statement, Oak Ridges moraine act and conservation plan ... Strong Communities (Planning Amendment) Act, Places to Grow Act and Building Code Act reforms, to the now proposed Planning Act" reforms "have dramatically changed the landscape for the home building and development industry. The proposed legislation"—I think this is the important part; it's just one line—"gives the province significant power over planning."

I think that's really what I was trying to get to: This isn't an issue of devolving the power of planning to the local government; this is an issue of taking the authority for land use planning in Ontario to the provincial government through policy statements, and bringing the obligation of implementing the planning to the local level.

There was one other thing. I won't go on much longer, Mr. Speaker, but this bill—

**Mr. Hudak:** At least five more minutes.

**Mr. O'Toole:** Work with us.

1730

**Mr. Hardeman:** Five more minutes.

Since this bill was introduced, there's been a lot of media coverage—not so much recently, but just shortly after it was introduced. I have a number of articles here. I just wanted to go over one for a minute. It's from Tuesday, February 21, 2006:

"Higher prices for residential and industrial land and a much more politicized land-development process are in store for the GTA if the province passes Bill 51, which fundamentally changes the way development is approved in Ontario, critics said yesterday.

"The only beneficiaries of this bill are the legal community," said Neil Rodgers, president of the Urban Development Institute of Ontario.

"While the change won't cost the government, 'it is going to have a lot of cost on our society.... No. 1 is higher housing costs,' added Frank Clayton, a housing economist.

"The procedures in the bill impose unreasonable demands on ratepayer groups, forcing them to retain a professional planner from the outset of the council-approval process if they ever seek to challenge a decision at the Ontario Municipal Board, said former Toronto mayor John Sewell, who has long asked for change to the current process." Again, he isn't one who believes the process is working right now. He'd be very supportive of "shall be consistent with." He sees the problem with this process, as do we.

"The criticism is a far cry from the assertion made by Municipal Affairs Minister John Gerretsen when he unveiled the bill in mid-December.

"We want to put land-use decisions back where they belong, in the hands of municipal decision-makers, and provide new opportunities for citizens to become truly engaged in the process that shapes their communities," Mr. Gerretsen said.

"Since then, planning lawyers and the development industry have been studying the proposed law, and they think it will have a quite different effect than the one the minister described.

"After looking at the bill, which is likely to have second reading in the spring ... the critics have concluded that:

"—While local councils ostensibly get more power, the province has dealt itself an extremely heavy planning hand by giving itself the authority to change the rules up to the day a decision is made;



“—Developers and ratepayer groups that want to appeal a decision to the OMB will be hampered by a provision that prevents them from bringing any new planning evidence to the board,” even though a municipality or council can introduce new evidence;

“The legislation will have a number of practical consequences for councils, including making the development-approval process more legalistic, with more meetings and possibly the need to make verbatim transcripts of each one.” Again, as I said, records will need to be kept not only of who said what, but who was there.

“—The legislation will slow down development approvals, while the new system sorts itself, a factor that will contribute to rising housing and industrial land costs.

“Lawyer Jeffrey Davis has concluded that the law shifts ultimate planning authority to Queen’s Park, by giving the province the authority to override any aspect of the Planning Act up to the date of a decision on the application.

“This provision—which Mr. Rodgers says flies in the face of natural justice—means the minister has so much power to interfere in planning that, as well as dealing with city hall, developers of major projects will be forced to lobby Queen’s Park to ensure the province does not derail their developments, Mr. Clayton said.” Now all of a sudden we’re going to have people lobbying Queen’s Park to make sure we don’t step in on the application.

“In his view, the legislation—and the powers it gives Queen’s Park over local planning decisions—will ensure GTA municipalities have to dance to Queen’s Park tune as it enforces its policies against urban sprawl and in favour of intensification.

“But the market effects of the policy will force up the price of residential and industrial land, which may force people and manufacturers to go further afield to get either their homes or the plant sites they want.

“Mr. Clayton said current studies show that while 50% to 60% of the demand for housing in the GTA is for single-family units, the province’s current plans take 75,000 to 100,000 units out of single-family housing and push them into the multiple-residential market.

“‘There is only one way to make a market like that and this is restrict supply, so that prices go up and people are forced to be in multi-residential housing...,’ he said.”

That kind of goes over the whole bill and points out the problem it will create. This isn’t just about whether it’s going to be easier for municipalities to conduct the planning process; it’s about what impact it’s going to have on the citizens of Ontario, and I don’t think it’s good. Thank you very much for the time.

**The Acting Speaker:** Questions and comments?

**Mr. Marchese:** I congratulate the member from Oxford for being very, very thorough. I just have one question, because he mentioned John Sewell on a number of occasions. He talked about all the consultations that John Sewell was engaged in when we hired him in 1992-93 to do a thorough review of the Planning Act. The member from Oxford was part of those discussions, so

we know that much debate has happened on this particular issue.

I wonder whether the member from Oxford remembers what he recommended to John Sewell, or whether he recommends what John Sewell recommended that we do as a government, which we in fact did, and what his government did in 1995 when it got elected vis-à-vis what John Sewell had to say that we implemented. I’d be very interested to have his view on this matter, and why he felt that his government felt it necessary to change all of the things that John Sewell had proposed. I’d be very curious to know.

**Mr. Jeff Leal (Peterborough):** I listened carefully to the member from Oxford. Not only has he had a long career in this House, but he certainly spent time as a municipal politician in the Oxford area.

A bit of history is interesting. It was Leslie Frost, when he was Premier of Ontario, who brought two regulating bodies to Ontario in the early 1950s. He established the Ontario Municipal Board, and his government also brought conservation authorities to the province in 1952-53. From his biography by Mr. Graham, the reason Mr. Frost wanted to bring in the Ontario Municipal Board in the early 1950s was to give citizens the opportunity to appeal decisions that were made by the councils of the day. To make sure, as he thought, that the decisions were in the best interest of the citizens, he brought in this appeal body.

It seems that we’ve moved away from that fundamental philosophy of the Ontario Municipal Board. I know that during my time as a city councillor more and more developers were leapfrogging legitimate, bona fide councils to get an opportunity to appeal planning decisions. It’s interesting too, as part of Bill 51, the obligation to have municipalities keep their official plans up to date, which I think is very important, plus the implementation tool of official plans, which is the zoning bylaw—to keep that up to date, to make sure that planning documents and tools are indeed in place.

I think this bill provides more onus on the developer who’s bringing forward an application to make sure that all the necessary detailed studies are in place so that decisions can be made based on documentation and based on information, which is the best way for municipalities to make decisions.

**Mr. O’Toole:** I want to compliment the member from Oxford for his very informed comments with respect to Bill 51. I just want to put on the record that the member from Peterborough is quite right. Having served myself for 22 years—I guess in 1982 I was first elected. I would say that the Sewell commission was the start of the review of the Planning Act, 1993-94. Mr. Hardeman from Oxford did participate at that time as a mayor. Most of us did have some municipal responsibility. In fact, I think he was the president of AMO or ROMA, speaking as the voice for one of the provincial organizations.

The argument there was a very conflicting argument. It’s the same argument here today. We see once again the strong hand, the arbitrary hand of the government, of



Minister Gerretsen here. The constant argument then was whether or not municipal planning, its official plan and process, had to be "consistent with" provincial policy statements or "have regard to"; in other words, recognizing the important work that's done at the local and regional level of government. That's really what it's about: offering them some flexibility. Yes indeed, as he said, Mr. Frost set up—as most Conservative things are well-thought-out and well-delivered—they set up an appeal process that was able to make sure the process was transparent and accountable.

1740

Once again what we're moving back to here, as Mr. Hardeman made the point as our critic on this file, and I commend him on the tireless work he puts into this, is that it clearly demonstrates the subtlety of the actions of the McGuinty government. What they're indeed doing is uploading the authority, the centralization of power, and they're downloading the difficult execution of the responsibility to the local government. It's this obsequious way of doing things that most makes me question my ability to trust Bill 51. I see the same thing in Bill 43.

**Mr. Bob Delaney (Mississauga West):** I never thought I'd have much common ground with former Toronto mayor John Sewell, but the distinguished member for Oxford quotes him as saying how important it is that power over development rests with citizens and municipalities rather than with developers, and I agree. The bill before us today, Bill 51, will continue to strengthen the abilities of municipalities and the province to manage growth and, more importantly, to seek appropriate growth. Bill 51 will reform Ontario's planning system and the Ontario Municipal Board. The bill will make the OMB more transparent and accessible and more effective in settling land use disputes. The OMB would be required to have much greater regard for the planning decisions made at the municipal level. Very tellingly, this means that no more will parties be able to withhold information until they come before the OMB. The OMB will be required to consider the whole plan, and this is important.

Bill 51 will also clarify planning rules and will give municipalities better planning tools, including the ability to promote sustainable design features such as energy efficiency, as well as allowing municipalities to consider architectural and design features as part of site plan approval. This helps us improve the look and the feel of our communities. This helps preserve some of the character and nature of some of the historic communities and helps design new communities that have a common theme running through them. This helps maximize the value that people will have in their homes.

Managing growth is important. In the 2006 budget, Ontario invested some \$1.2 billion in transit, roads and bridges throughout the province, including support to get the extension of the Toronto subway built. For my community in Mississauga, Bill 51 is important. Bill 51 will enable a good community to manage its affairs better.

**The Acting Speaker:** The member from Oxford.

**Mr. Hardeman:** I would like to thank all the members who commented on my presentation. I just wanted to say to the member from Trinity-Spadina that the one area that I did have a problem with when I was working with Mayor Sewell was "shall be consistent with," because it is impossible for any municipal document to be consistent with every provincial policy. When I had the opportunity—

**Mr. Marchese:** Why was it impossible?

**Mr. Hardeman:** Because you can't save land for aggregates and build houses on it at the same time. They happen to be in the same area. I want to say just quickly that I thank everyone for that. I just wanted to clarify that. The rest of the area John and I agree with, and incidentally, AMO agreed with me.

"Toronto developer Julie Di Lorenzo is proud of what she builds. Naturally, she was thrilled when the director of Toronto's urban design department, Robert Freedman, singled out a couple of her projects for special praise recently at a city-sponsored workshop devoted to mid-rise development." Both those projects that were commended were turned down by the city and had to go to the Ontario Municipal Board for approval. Now the city's task force commends her for her good development.

I just wanted to point out that that system worked. If we could find a way to keep those from having to go to the Ontario Municipal Board by getting good decisions at the city, I support that 100%. I do believe we need to reform the Ontario Municipal Board, because it's not working the way it should. But I think we should not throw the baby out with the bathwater, because the present system is allowing development through the Ontario Municipal Board that the city and the province of Ontario want and need.

**The Acting Speaker:** Further debate.

**Mr. Marchese:** Mr. Speaker, I would like unanimous consent to stand down the lead of our illustrious critic, who is in the chair.

**Mr. Hudak:** What riding is he from?

**Mr. Marchese:** He's from the riding of the Beach—East York.

**The Acting Speaker:** On the same point of order, the minister.

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** Only if we can have John Sewell come and address the chamber.

**The Acting Speaker:** First of all, I think the addendum was a little frivolous, although humorous.

On the motion to stand down the lead, is it agreed? Agreed.

**Mr. Marchese:** I have to tell you, I prefer "the Beaches." It's amazing how, when you're used to a name, it sticks to you and you like it. So when you say "the Beach," where's the Beach? I know where the Beaches is, but I don't know where the Beach is going to be. But the folks have voted, and it's now the Beach.



Speaking to the bill before us, Bill 51, the Planning and Conservation Land Statute Law Amendment Act—we're not going to be able to have the 20 minutes, but in the 15 minutes I have at a quarter to 6 on April 19, I want to speak to the deficiencies of the bill. I leave what might be good in the bill to the government. It's not my business to praise what they do; they will praise themselves, and they won't speak to the deficiencies. So we in opposition have to be the ones to alert the government members, who don't follow all the detail, and alert the folks who are watching, to some of the deficiencies, which the member from Ottawa Centre clearly understands, because when he was in opposition, that's exactly what he would do. But now he's a member of government, so things have changed.

It's amazing how things change when you move around this place—and we do. And you will again, and it will be nice to see you in the opposition benches, I have to admit, just as I love to see the Conservative members in opposition, because they sound so healthy and so positive at times and so progressive at times. It's good to see them. It will be a pleasure to see you on this side of the House after the next election. But that's another issue.

You see, we move around, right? We rotate around this place. You have to remember that the Liberals in Ontario were the third party for a long, long time, and that can still be the case. You can make it, as I know you will. And the Tories, of course, lost 43 long, painful years of ruling this place. So things are now shifting a little bit. I think it's good for society; it's good for the civil service to have different politicians; it's good for politicians to have the experience of opposition.

I love to see the Liberals, when they're in government. You should hear how cheerful they are when they're in government, how positive they are. They're not negative anymore. Jim Bradley used to live on negativity, but not now; not no more. Now he's Mr. Positive and he wants to get along, and all the government members with a lot of experience want to get along. You know how that works, right?

I want to get along with you too, but I need to beat you up from time to time, so that we can keep our friendships close—

*Interjection.*

**Mr. Marchese:** Hey, Jim. I called you Mr. Positivity.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** You weren't positive from 1990 to 1995.

**Mr. Marchese:** Exactly. I admit that. I'm just saying how wonderful it is for people to rotate, because the insights change, the experiences change. It's good for everyone; it really is.

Speaking to this bill, because I don't have much time: "Municipalities that meet the minimum requirements"—whatever they are—"will have power to establish optional local appeal bodies that would deal with certain planning matters instead of the Ontario Municipal Board." Now, this appeal board sounds appealing. But how appealing is it really from the standpoint of all the

municipalities across Ontario that are broke because collectively they are \$3 billion in the hole, left in great part by the Conservative regime and continued by the Liberal regime now in place? How are municipalities that are \$3 billion in the hole going to find the money to be able to set up an appeal board to deal with variances—which may be minor or may not be so minor; I don't know—to replace the Ontario Municipal Board? I don't think many are going to do it, because I suspect you're going to need three people on this appeal board, and they don't come cheap. Speaker, you're going to have an opportunity to speak to this, and I think you have much more experience in municipal politics than I do, but an appeal board, I suspect, is not going to be cheap. These guys want to be well paid; otherwise, they're not going to do it. And that's going to be significant to a small municipality that's suffering serious financial problems.

**1750**

This appeal body is going to need an office of sorts, I would think—at least a little room somewhere in some municipal office. And I suspect they're going to need some assistance—you know, secretarial.

*Interjection.*

**Mr. Marchese:** Some former municipal councillor is saying "maybe one"; at least one, you would say, right? There's going to be some cost: paper costs, buying pens and stuff.

I suspect that this appeal board is not going to happen. The reason for that is that they will have to bear the cost of establishing these appeal bodies to hear these appeals. My sense is they will not create these appeal boards to deal with variances.

I begin to propose and to suggest that although it sounds like a reasonable thing to do and it appears as if municipalities are going to be empowered to deal with this, avoiding at the same time the OMB, the much-detested OMB—by the way, many of the municipal councillors, when they were on the Liberal opposition benches, said, "We need to eliminate the OMB." You will recall that, Speaker. Many of the former government members who are here remember that there were former municipal councillors who were sitting on this side of the House who said, "The OMB has got to go." And we were waiting for the government, once firmly seated in their place, to get rid of the OMB. You would think they would do that. But no sooner do they ensconce themselves in the safety of their offices than they decide, "Ah, it's too much. Maybe we shouldn't have made that promise. Maybe we should have had a little restraint," just like the restraint they show when they're in government, except when they're in opposition, of course, all restraint is abandoned. But that's another matter.

So all I'm saying is, this appeal board is not likely to happen, and you're still going to have to go to the OMB: point numero uno.

Number two: There is no reform of the Ontario Municipal Board as it relates to the appointment process. I have indicated earlier—and our criticism of the OMB



when the Conservatives were in power is that they put a lot of their friends, to use a friendly term, in the OMB, people who would support development, because the party is all about development. It's an open door kind of Conservative Party, right?

**Mr. Jim Wilson (Simcoe–Grey):** Jobs.

**Mr. Marchese:** And it's about jobs. So it's an open door policy: Anything goes. Build what you want, where you want, how high you want. It was great. And you want the Conservative Party, if that's the kind of politics you like. Of course, they wanted to be sure that the appointees to the OMB were consistent with, or they used their positions consistent with, the provincial Conservative policies. You'll remember that the member from Oxford said these things are impossible. Well, I guarantee to you, Speaker, and to others listening that the Conservatives had no problem making sure that their provincial policies were consistent with the members they hired on the OMB, and so their views, I suspect, were in harmony and consistent with each other. So it's not impossible to achieve that if you want it. That's what they did.

Now we've got the Liberal government in power. By the way, if you'll recall, a couple years ago I said, "What's the difference between a Liberal fundraiser and a Conservative fundraiser? It's a hundred bucks."

**Mr. Hudak:** Who charges more now?

**Mr. Marchese:** The Conservatives used to have \$700 fundraisers and the Liberals used to have \$600 fundraisers. And I said, what's the difference? It's the same landlords—the not-so-nice ones—it's the same builders and developers that go to the same events, because, you see, they've got no problem; they're interchangeable. They could change the jacket or the tie, and it doesn't make any difference. It's a hundred-buck difference: no problemo. You won't find too many of these developers coming to our events and spending a hundred bucks, because a hundred bucks for these guys would be too much to come to a New Democratic Party event.

I tell you, you've got Liberal appointees going to the OMB, and they're the same as the Conservative appointees. They will be consistent with each other.

**Mr. Wilson:** The Power Workers' Union was my largest supporter last year.

**Mr. Marchese:** Jimmy, Jimmy, don't get so angry. Come on.

**Mr. Hudak:** You provoked him.

**Mr. Marchese:** Did I provoke you? I don't want to do that, because you're my neighbour. I want you to use two minutes to fight back, okay? All right.

The OMB isn't changing much, only the colours. There is no guarantee from the Liberal government that we're going to have some individuals who have environmental expertise. There is no guarantee that we're

going to have on that OMB individuals who have expertise in heritage properties so that you're going to get people who will keep an eye on these things. There is absolutely nothing of the sort, in terms of OMB appointments, that is going to change or has changed by way of this bill. That's problemo numero dos.

Number 3: Principally, this bill deals with the important objective of Ontario Municipal Board reforms. Unfortunately, many local citizens' groups trying to stop a development that is out of character with their neighbourhood or the development of a large quarry or gravel pit that potentially threatens their groundwaters find themselves before the OMB. For those citizens' groups who have been through it, an OMB hearing is not a pleasant experience. Citizens' groups with limited means are pitted against deep-pocketed developers, who seldom lose at the Ontario Municipal Board level. Not only have developers the resources to forcefully make their case, but the OMB usually decides in favour of development interests.

It's not just local citizens' groups spending money that they don't have at the OMB; municipalities are continually having to defend their land use planning decisions at the OMB, draining their coffers and leaving them with less money to spend on needed services.

As the OMB hearing on the North Leslie lands has shown, public interest groups do not have the means to take on development interests at the OMB hearings. Expert testimony is expensive, and many OMB hearings hinge on such testimony. The North Leslie area in Richmond Hill is a site for a proposed 6,000-residential-unit subdivision, as well as industrial and commercial buildings. This is one of the most environmentally sensitive and threatened areas in southern Ontario, one of the 10 areas identified by the Greenbelt Alliance and for which the McGuinty government received an F on the greenbelt report card for failing to protect it.

So when we speak about intervener funding, what does the bill say about this? What does the bill say about the discrepancy in resources between developers and local citizens' groups at the OMB hearings? It says virtually nothing, or very little. There is no intervener funding. Community groups need to be able to have dollars from the government, as Sewell proposed when we were in government, so they can defend themselves against developers, who usually have deep pockets and the power to be able to get what they want.

Given that the Speaker is indicating that we have arrived at 6 o'clock, I will come back to this another day.

**The Acting Speaker:** The time now being 6 of the clock, and in accordance with the motion unanimously passed earlier this afternoon, this House stands adjourned until 10 o'clock tomorrow, Thursday, April 20.

*The House adjourned at 1759.*

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Essex	<b>Crozier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
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Northumberland	Rinaldi, Lou (L)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Oak Ridges	Klees, Frank (PC)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick</b> (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Oakville	Flynn, Kevin Daniel (L)	Thornhill	Racco, Mario G. (L)
Oshawa	Ouellette, Jerry J. (PC)	Thunder Bay–Atikokan	Mauro, Bill (L)
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Thunder Bay–Superior North / Thunder Bay–Superior- Nord	Gravelle, Michael (L)
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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No. 63

N° 63

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

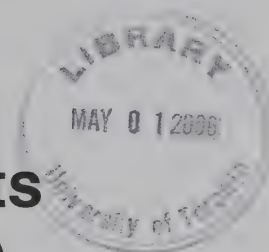
Second Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Deuxième session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**



**Thursday 20 April 2006**

**Jeudi 20 avril 2006**

**Speaker**  
Honourable Michael A. Brown

**Président**  
L'honorable Michael A. Brown

**Clerk**  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 20 April 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 20 avril 2006

*The House met at 1000.  
Prayers.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### CHRISTOPHER'S LAW (SEX OFFENDER REGISTRY) AMENDMENT ACT, 2006 LOI DE 2006 MODIFIANT LA LOI CHRISTOPHER SUR LE REGISTRE DES DÉLINQUANTS SEXUELS

Mr. Martiniuk moved second reading of the following bill:

Bill 73, An Act to protect our children from sexual predators by amending Christopher's Law (Sex Offender Registry), 2000 / Projet de loi 73, Loi visant à protéger nos enfants des prédateurs sexuels en modifiant la Loi Christopher de 2000 sur le registre des délinquants sexuels.

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 96, Mr. Martiniuk, you have up to 10 minutes.

**Mr. Gerry Martiniuk (Cambridge):** I'm here to debate second reading of my private member's bill, Bill 73, An Act to protect our children from sexual predators by amending Christopher's Law, 2000.

I'd like to begin by recognizing and expressing my condolences to the families of all persons who died in the violence in the state of Maine this week. This terrible incident was tragic but isolated.

The bill I'm proposing allows the innovation and open debate on the type of information that should be disclosed to the public to ensure safety for all. This information should not just be another government secret. The purpose of this bill is to protect Ontario families from sexual predators. My private member's bill amends Christopher's Law to give residents in Ontario greater access to information on convicted offenders in their community by opening the Ontario sex offender registry to the public. It is increasingly important in the year 2006 that we give parents the tools necessary to protect their children from child molesters.

Another element of my bill is to include persons convicted of sex offences outside of Canada. Under our cur-

rent registry, this is not the case. To ensure public safety, we need to be aware of who is coming in and out of our province. Our neighbouring states, Michigan, Ohio and New York, have opened their sex offender registry to the public, and this makes Ontario a safe haven for sex offenders from those locations. In the US, you can view online where sex offenders live, what they look like and what offences they have committed. Most states have very user-friendly websites. Ontario and the rest of Canada are on the brink of becoming a place of refuge for these predators and molesters, as Ontario jurisdictions introduce more public access to protect their neighbourhoods while Ontario's registry remains a secret.

My riding of Cambridge had an incident recently where a child molester moved into the community unnoticed. This particular sexual predator had served 14 years in an Ohio prison for rape and gross sexual imposition that he committed on two young brothers. The sex offender lived in Cambridge unobserved until he breached his probation twice. Needless to say, he has returned to jail to serve an additional 18-month sentence. It should be noted that Ohio's sex offender registry is open to the public and is not a secret as in Ontario at present. This experience caused great distress to many of my constituents, who were outraged that they were not made aware that he was living in their community. If a parent knows a sexual predator is living down the street, they can better protect their children.

It is important to know that some US registries also have a search by name as well as neighbourhood. If your child is traveling with a person, or a person is going out on a date, they can take a few minutes to do a name search to determine their safety.

The safety of Ontario's families is first and foremost in this bill. We are presently surrendering our children's right to safety by protecting the identity of sexual predators. I'm standing up for those who cannot speak for themselves. Child molesters steal the purity and innocence of the children they prey on. Those children who have been violated will never be the same. Parents of those children who have been victimized will never be the same. I believe the rights of the children and their protection is paramount.

As our registry stands today, police can issue community notification for high-risk offenders. They have done an admirable job, but the system is simply not good enough. Our police officers are already overworked, the force is understaffed, and whether the information is issued to the public depends on an opinion and a

prediction. There are unfortunately no guarantees in this important matter of public safety.

Since I introduced my private member's bill I have received many e-mails, phone calls and letters regarding the current sex offender registry and the amendments proposed. I would like to quote a couple of my constituents: "As a mother of two young children, I cannot express to you how important it is to be armed with this information. I have never understood why this information is not available to parents in Canada when it is so readily available in the United States. It has been so frustrating to continually see the Liberal government protecting the rights of criminals and neglecting the basic safety and security of law-abiding citizens." Another constituent said, "I have never really understood the benefit of having a sex registry for police etc. and not accessible by the public. Nor do I understand the fight for rights of convicted sex offenders. My parents moved to the US 12 years ago and I have thought the sex offender registry is a great tool after seeing the US website. This would protect citizens and sex offenders from themselves as repeat offending is quite common."

As elected officials, we have a duty to protect our constituents and the residents of Ontario by giving them the resources and the tools necessary to protect their family. We post people's names in the paper if they're bankrupt and also have public access to credit and financial information, but not information on sexual offenders. At present, all courthouse records are open to the public and the names of the accused and convicted are in the media each day. The information is public already and removing the secrecy around the sex registry won't really change that. I was on a website today which promises to provide Canadian police reports, jail and prison records and criminal records for a fee, so it isn't even much of a secret.

In 2002, there were 27,000 sex offences reported to the police in Canada. The government has to recognize sex offenders as a problem, not as victims. We can no longer ignore this problem. Of the 27,000 sex offences reported in Canada, almost 9,000 were in Ontario. With an open registry, predators will know that if they commit a sex crime against children, they will be on the sex offender registry. Furthermore, this public sex offender registry will deter convicted sex offenders from re-offending.

1010

My bill would give parents peace of mind to know that they can access the registry to find out if there are offenders in their neighbourhood or possibly involved in the everyday lives of family members.

The format and scope of information available regarding sex offenders, including the level of conviction and access, are matters that we can deal with at committee if this bill is passed. The debate for this private member's bill should be about the best way to give the public access to the registry, not whether or not it should be done.

We must get the public more involved in their responsibility for their family's safety. There is a disconcerting

and dangerous trend of disconnect between the public and the police. Crimes are committed and no one comes forth with information. Crimes without witnesses, though hundreds of people are present, should give us all reason for concern. As the founder of modern policing, Sir Robert Peel, said, "The police are the public and the public are the police." The system doesn't work if that link is broken.

I hope all members will support this initiative to place more responsibility with the members of the public in Ontario so that they can protect themselves and their families. Thank you very much.

**The Deputy Speaker:** Further debate?

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** I'm pleased to join the debate on Bill 73 put forward by the MPP for Cambridge, Gerry Martiniuk, An Act to protect our children from sexual predators by amending Christopher's Law, which of course is the sex offender registry of 2000.

We've just heard the comments made by the member for Cambridge and certainly he feels very passionately about the need to do everything we possibly can in this province in order to protect the safety of our children. If we take a look at Christopher's Law, which this is going to amend, I think we can all remember that that initiative was a very bold measure in community safety. It had been sparked by the very brutal 1988 murder of 11-year-old Christopher Stephenson at the hands of a convicted pedophile on federal statutory release. It was at the inquest into Christopher's death in 1993 that the coroner's jury at that time recommended creating a national registry for convicted sex offenders, requiring them to register with the local police service. Christopher's death highlighted the need to provide police services with greater ability to monitor sex offenders in our communities.

Our government at the time agreed with the jury's recommendations. Our government moved forward and took the initiative and we introduced legislation which is seeking to be amended today, which created Canada's first provincial registry of convicted sex offenders. Obviously it was done with the support and the encouragement of the Stephenson family, victims' groups and law enforcement organizations. Christopher's law was proclaimed on April 23, 2001, making the Ontario sex offender registry a reality. It has provided a vital step in fighting crime and protecting vulnerable children and adults and certainly acting as a safeguard to our communities.

What we have today is a request for an amendment that has been put forward in a way that the sex offender registry would now be made available to the public and it would also extend the registry to include persons convicted of sex offences outside of Canada. Again, this is an issue which obviously needs to receive some public debate and people need to have the opportunity to discuss their support or their concerns regarding the proposal here. The proposal would include making available to the public the name, the address, the photograph and the sex offence for which the offender is responsible. Obviously,



these are all issues that are vitally important to the protection of our children from sexual predators, and it is important that the public have an opportunity, if this bill were to be passed and go to committee, to give their input. We need to do whatever we can in this province to ensure that our children are protected. Certainly, the example of what happened to Christopher Stephenson should remind us all of the consequences.

I took a look, and the Washington state sex offender information does allow public access to the sex offender registry; the New York state sex offender registry does, as does Michigan state; the province of Manitoba has public notification of high-risk offenders; and in terms of sexual offenders, the Florida sex offender registry allows for community notification, an on-line searchable sexual offender database and an on-line browsable directory of sex offenders.

We have before us at this time in the province of Ontario this amendment to Christopher's Law. Again, it is asking this province to take another bold measure in community safety. Obviously, it will be up to the public to provide input and make a decision as to how they see us being able to move forward in a way that is going to best protect our vulnerable children from the sexual predators who live in our midst. It is an issue that is going to warrant some very serious discussion, and I am pleased to put these comments on the record today.

**Mr. Peter Kormos (Niagara Centre):** I'm pleased to be able to speak to the bill today. I'm going to indicate at the onset that I'm quite eager to support it here and now today, at second reading. I think it's an incredibly important proposition that it go to committee. I think it warrants thorough consideration and debate, and debate with the participation of expertise, of the experiences of people in other jurisdictions.

I want to put my reasons for supporting it. I speak primarily to what I suspect is the most contentious part of the bill, and that is the publishing of the names of sex offenders as defined in the legislation. Look, I come from smaller-town Ontario—you know that—and I'm blessed. I live in an incredible neighbourhood: Bald Street, Maple Street. It's one of the older parts of the city. It's a mixed neighbourhood in terms of the ages of the residents. There are at least three generations: There's senior citizens, retirees; there are people like Mr. Martiniuk and myself, middle-aged men, and our households, as they be; and then there's young families. You see, when you have an old neighbourhood like that, there's turnover. You know what I mean. People move out of their homes, young couples move into more modestly priced homes, like they are in the neighbourhood, with their kids.

We interact a lot in our neighbourhood. It really is very old-fashioned. When there have been families with young kids, the kids wander from yard to yard, from veranda to veranda, from patio to patio. If my neighbours, the Wightmans, and I happen to be barbecuing some hot dogs and drinking some grape juice, the neighbourhood kids think nothing of dropping by to get a hot dog and, "Here's a hot dog." I think that's good. That's a

healthy neighbourhood. People look out for each other. Seniors who are retired have thought and think nothing of keeping an eye on a neighbour kid who's wandering around or roller skating on the sidewalk, what have you.

1020

But, as I say, there's turnover. I think we want to encourage healthy communities and healthy living. I don't think some of my colleagues who perhaps live in those more sterile, newer subdivision types of places, where the trees have only just barely been planted and where community hasn't begun to grow, enjoy the same old-fashioned lifestyle that I'm blessed with down on Bald Street, Maple Street, Hooker Street—yes, it's called Hooker Street, from the old Hooker Brick factory, please—which was where most of the bricks came from for our older, 90- and 100-year-old homes; the Hooker Brick factory, just two blocks over on Hooker Street.

I'm sensitive to the charge of the prospect of vigilantism. I'm a little less sensitive to the privacy issue, because let's understand this: A conviction for a sexual offence is a matter of public record. Thank goodness. Our criminal justice system requires that it be very, very public. There is literally nothing stopping people from canvassing their local newspapers and scanning newspaper articles about persons convicted for anything, for that matter, and publishing it on a website. Sorry, that's one of the tragic outcomes of a criminal conviction. Be forewarned.

The court record itself is public. The courtroom is accessible to the public. A person can sit there and make notes all he or she wants, as long as they're not sitting in the jury box. The newspapers can go there and report, and those newspaper reports remain alive in newspaper archives or on film in the local library.

**Ms. Andrea Horwath (Hamilton East):** Microfiche.

**Mr. Kormos:** Microfiche, Ms. Horwath reminds me. As I say, the court records themselves can be accessed. This can be published without any fear of libel, attack, or without any repercussions, without any restrictions.

I believe families have a right to protect their children from predators. That's the bottom line. And if and when there are conflicting rights, like the right of a person who has done his or her time to move on with their life, I think the right of a child to be protected from predators prevails.

I think we have to be very careful. When the Conservative government was developing the sex offender registry, I participated on behalf of New Democrats in the committee process. All of us participated here in the chamber in terms of debate. I was concerned about the limited scope of persons on the registry. Nobody who had been convicted prior to the enactment of the legislation is included in the registry, so there's a false sense of security. It's not accurate. We wanted that information to be there. We wanted to see some means, some way of at least addressing, from the point of view of the federal government, the need to have at least a senior tier of young offenders, those 16- and 17-year-olds who are convicted of these offences and are protected by the



Young Offender's Act in terms of not publicizing their names. For the life of me, why a person who commits an offence which demonstrates them to be a danger to the general public, who is at least 16, wouldn't have their names published just boggles the mind. I find no rationale for it. We're not talking about a shoplifting charge, which kids do, or puffing on marijuana from time to time, as kids do, and I suspect maybe one or two members of this assembly have done in their youth. We're talking about people who do serious crimes that demonstrate and prove them—it's no longer speculation—to constitute a real risk to children.

The reason we take extraordinary steps is because you, Mr. Hoy, myself, Mr. Leal, Ms. Horwath—we're adults, and in most circumstances we can defend ourselves. I'm not talking about a brutal physical attack necessarily, but in terms of being lured or conned, being seduced. Kids can't, which is why kids are preyed upon and why pedophiles, as we know increasingly when we read about tragically notorious cases and we read the academic literature, are incredibly skilful manipulators. They not only manipulate the kids they target as victims, they manipulate their parents, as often as not, as well. Of course, they manipulate themselves into organizations, groups, activities that actively involve children, like Boy Scouts and similar sorts of things. I want to be very careful. I have the highest regard for Boy Scouts, Big Brothers, Big Sisters, but those organizations themselves have become increasingly aware and cautious about the fact that—it's like asking why robbers rob banks. Because that's where the money is. Why do pedophiles join these organizations? Because that's where the kids are.

So I say, yes, a community has a right to protect itself. A community has no right to engage in vigilantism. The rule of law must prevail. But I ask any of you, as a parent or a grandparent or an aunt or an uncle or simply somebody who treasures and values the young people in our province and in our country, and the great potential that they have to take this country further and make it greater, do you not believe that you should have the right to know enough about a new neighbour that you tell your kid, "No, you will not accept Mr. Doe's or Ms. Doe's invitation to come into their House," end of story? Don't you have that right? I think you do.

Again, when there are conflicting rights—there may well be. We'll hear that argument from the opponents of the bill who are squeamish about the publication of names. I say that someone who has committed a sufficiently serious offence to demonstrate themselves to be a danger to the public, especially children, forfeits, from a pragmatic point of view, from a day-to-day-living point of view, some of the rights that other people in this society have.

I know that from a hard and fast civil libertarian interpretation of the law, that may not be the case. Mr. Tascona may well chastise me for having suggested it. But at the end of the day, when you have to balance interests, surely the interests that we have in ensuring kids are not viciously, brutally attacked, and I say to you

that—dare we grade sexual assaults on children?—even the most passing of sexual assaults can be as violent—and, I say to you, is as violent. Not to diminish the incredibly tragic and horrific crimes against children, but to try to grade them is a no-win situation. The scar of that victimization—a scar is a scar is a scar and operates as adding an incredible impediment.

Do we become obsessed with one journalized incident, which still has more questions than answers, to somehow suggest that the proposition around publication of names is inappropriate? One of the things I say we've got to do is ensure that any sex offender registry, whether it's a private one for the police only or a public one, has to be scrupulously accurate.

*Interjection.*

**Mr. Kormos:** Think about it, Mr. Leal. If there's anything more harrowing than knowing that a child has been victimized by a sexual offender, by a pedophile, it's knowing that an innocent person has been labelled a pedophile. We raised this during the initial discussion, the initial debate around the creation of a sex offender registry. I say that procedures—and that's why this bill should go to committee.

Think about this, Mr. Martiniuk. When a person is going to be put on the public sex offender registry, perhaps there should be forenotice so that person has an opportunity to challenge their name being placed on the registry. I think that would protect people who have names that are similar or identical to actual convicted persons—a requirement for a notice prior to the public publication. There are other variations that can be used. Various police services use their discretion, especially after the Jane Doe case here in Toronto. Remember that, Ms. Horwath? Metro police acknowledged their liability and paid out an incredible amount of money for being less than bang-on when it came to notifying the public about a danger to women—a serial rapist. Jane Doe, of course, since then has revealed her own identity, very bravely, very courageously. So again, if there is sufficient evidence to rebut the proposition here of a wide-open publication, then surely to goodness, if there is only to be a private police-accessible registry, we need clear and consistent guidelines about when the police have a responsibility to notify people in a community of the presence of a dangerous sex offender in their midst.

**1030**

I would regret it very much if this bill were not allowed to go to committee. I'm not talking about some brief half-day session where it's then sent off into legislative orbit and put into the big legislative black hole by the government. Let's make one thing very clear: Should this bill pass today—and I fervently hope it does—it then in effect becomes the government's bill. Mr. Martiniuk, the author of the bill, no longer has any control over its progress. It's the government; it's Dalton McGuinty and the Premier's office that decide its future. Don't be calling and bothering Mr. Martiniuk about why his bill isn't being called for committee hearings or for third reading; call the Premier's office. I'm serious. It's Dalton



McGuinty and his office that will decide the future of this proposition. And should this get quashed, should this get buried in that legislative black hole by Mr. McGuinty and the Premier's office, I say shame on them, because it's too sound a proposal that begs too much debate and too much public consideration for it to be shelved by a Premier's office that's more focused on pit bulls and pot than it is on some of the real dangers that lurk out there in communities across Ontario, and in the context of this consideration, the incredible danger and threat to young kids by predatory pedophiles.

**Mr. Khalil Ramal (London-Fanshawe):** I'm pleased to join the debate on Bill 73, Christopher's Law (Sex Offender Registry). I was listening carefully to the member from Cambridge when he was introducing this bill. There's no doubt about it, it's our duty as a government, as elected officials, to protect our children and to create a mechanism to protect them. I believe the member from Cambridge has a good and great intention to protect our youngsters.

I was listening also to the member from Niagara Centre when he said that the ultimate and final decision is for the Premier of this province. I agree with him. We are privileged and honoured in this province to have a Premier like Dalton McGuinty who believes in children and youth, who believes strongly in protecting our children and youth in this province. That's why we have so many programs across Ontario to protect our youth—youth at risk, children. We've invested more money for child care spaces than the past three or four governments. That's why it's our Premier, as the member from Niagara Centre mentioned, who is responsible for protecting our youngsters in this province, and I believe him. I strongly believe it's our duty as a government, as elected officials, to protect them.

I want to commend the member from Cambridge for bringing this bill and opening the debate and creating awareness about very important issues. But the bill, established and published in 2001, I think, gives the police the authority and the right, if they think it's important, to publish and to put on the website a picture of the sex offender in order to protect the community where he lives or where he is going to be living. From that time, what we noticed is that 95% compliance—

**Mr. Kormos:** All it takes is 5%, Khalil. It takes 1%.

**Mr. Ramal:** I agree with the member from Niagara Centre. But I want to tell him that I was listening to him carefully when he was talking about older neighbourhoods where the community lives together, generation after generation, and the kids move from neighbour's house to neighbour's house to eat barbecue in this house or go to play in a different backyard without even paying attention or without thinking about a sexual offender living next door to them, because they've lived as a community for years and years and years, and they enjoy the atmosphere. I want to tell the member from Niagara Centre too that sexual offenders travel from place to place. Some of them live in cities where we have no idea who lives on the second floor or the fifth floor or who

lives next door to us, or who is going to come from neighbour to neighbour.

I'm not saying that's not an important issue. It should be debated openly. It should be talked about. It's very important to all of us to protect our youth in this province, because our youth are our future. I think it's our responsibility in the end to find a way to protect them.

We look at the bills, whatever bill is in front of us or that we've passed in the past. If they don't protect the kids, we should open them up and talk about them. We should create a new mechanism in order to protect our youth.

When we go back to Bill 73, Christopher's bill, from our records from the past, we see a compliance of 95%. When we compare it to the jurisdiction of the United States, where they are publishing all the records of the names and they disclose to everyone, in the United States we see the compliance rate way below the rate we have in Ontario.

I also believe it's not just publishing the names; we have to create a task force. We have to invest in a special task force to protect the youth and to protect the children. That's what we need in the province of Ontario. Our government gave \$700,000 to the police force in Toronto in order to enhance their ability to protect our youth in this province. We also invested \$1 million in the OPP to look after the sexual offenders who are trying to use kids for sexual exploitation and as people they can make money from or who can be abused.

That's why I think it's important to us, before we talk about issues, that we have to create a way to protect them and to follow it, to implement it. That's what we're doing in the province of Ontario. I'm very honoured and pleased to see our government taking all the measures in order to invest in this area by hiring 46 police officers to look after this file, to continue to look after this file. It's not just about talking, not just about passing laws, not just about passing bills, but also about following those bills and thinking how we can implement it by professionals and in a professional way.

I listened to all the speakers in this House. I think it's important to open it up and talk about this issue. But I'm not sure that by changing it or amending it, it's going to solve the sexual offender situation in the province of Ontario.

As the member from Niagara Centre mentioned, those people tend to develop very high skills to move from one area to another area and to manipulate not just the youth but also the parents. I think it's very important not just to study it, to pass bills, to open up the discussion, but also to create a mechanism, to create a way, some kind of task force, to follow it all the way to the end: to study why that happens, how we can solve it, and, if that happens, what we're supposed to do as a government, as a community. Since the police in this province have a right to publish and notify the public about the serious sex offenders, I think the bill, the past bill, is very flexible and gives the right to the police to act if they want to act. If they see it's important to publish a name, if they see



it's important to publish a picture, they have a right to do it. I've seen it. Where I live beside the water here, just in downtown Toronto, the police published and put a poster and a picture of a sexual offender in the neighbourhood.

1040

**Mr. Kormos:** Are you over at Harbour Castle?

**Mr. Ramal:** No, Harbourfront, down at the other side—not Harbour Castle.

I want to mention this because I think the police are playing a pivotal role in this area, in telling people that we have a serious criminal among us here. We should get some help from all the neighbours for the people, and that's why I think this past bill gives the flexibility to the police to protect the youth and protect the community where the sexual offender might be living, or might be passing or might be visiting.

But in the end, I want to commend the member from Cambridge for bringing forward such an important issue, to create awareness, to give us the chance and the time to debate this issue in order to find a solution, if that solution in the past didn't work. I was very pleased to listen to many speakers in this House talking about this issue. I think it's important, but I'm not sure that we'll solve the problem by changing or amending the bill. Anyway, thank you again for allowing me to speak.

**Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to join in the debate to support my colleague the member from Cambridge, Mr. Martiniuk, with respect to his bill. Mr. Martiniuk is demanding safety for children against pedophiles. I think the two principles of what we're dealing with here are very simple. The first principle is that the public has a right to know, a right to know what's going on within their community, of any dangers or risks, so they'll have knowledge and they can deal with the situation—the public's right to know. The second is the principle of children's safety and how that's balanced against the rights of individuals to be in a community, but to balance that against whether the children are at risk in terms of the individuals who do have some history with respect to dealing with children in a way that has breached the criminal law.

I think this is a serious bill. Certainly it would be viewed more seriously by the government if the Attorney General and the parliamentary assistant was here, but I know they're listening. I just want to say that we take it seriously here on the Conservative side. I know my good friend from Niagara Centre has spoken about this. We want this to go to committee.

It's nice for the members opposite, who will talk and say, "Oh, we've done this, we've spent money on this." What does that mean? You're spending money. We've got a problem here. We've got a problem with respect to community safety, and Mr. Martiniuk has got a solution here that can be looked at to deal with protecting the community, and children and enhancing the public's right to know.

To be clear, there already is a current sex offender registry in Ontario. It was brought forth by the Progressive Conservative Party. It's currently being looked

at, I understand, at the federal level by the Conservative Party in terms of extending all across Canada, which would be positive in terms of coming up with a system across the country. I know Mr. Martiniuk has put into his bill measures that will deal with individuals who come into the province, who have committed sex offender crimes, and they would be put into the registry. I think that's important from our point of view, because we need to have a seamless system. We need to have a relevant system. We have to have a system that actually does something, actually functions, as in other jurisdictions that they're looking at in terms of making sure this works. It's in Michigan right now, and it's in Washington state. My colleague has done a lot of research in terms of other jurisdictions. They've basically put up a sex offender registry for public access, for the public right to know.

I don't think that's too much to ask of this Legislature, to support Mr. Martiniuk's bill, to put it in committee. I'm positive it's going to receive second reading here today as a private member's bill. What I'm less confident of is the government's will, based on what the member from London-Fanshawe has talked about in terms of what he sees as what's important here. This is not a symbolic gesture by Mr. Martiniuk. This is a real-time solution to dealing with a serious problem, and it's going to be followed up in terms of issues that the member from Burlington has with respect to his private member's bill, which is going to be happening a little bit later today.

We have some problems in our community. People want to know that their communities are safe. People want to know that their children are safe. People have a right to know what's going on in their community. It cannot be a situation where people—the police make a decision. Everybody knows of the case in Toronto where there was a rapist in the community and the police decided in the public interest that nobody should know. Yet the rapes continued, and unfortunately there were more victims because the public didn't know what was going on in their community in terms of risk, and the public didn't know how to take action to protect themselves.

This is all that this bill is about: the right of the public to know, the right of the public to protect itself, the right of parents and families to protect their children. I would think it's incumbent upon the government to take this bill seriously and to make sure the Attorney General and the parliamentary assistant are aware that this is a serious issue and send a message to the government that we want some action.

**Mr. Jeff Leal (Peterborough):** I'm pleased to have an opportunity to get a few remarks on the record today with regard to Bill 73, Christopher's Law, an amendment to the sexual offender act in the province of Ontario.

I come from a perspective that the most precious thing that I share with my wife is, God blessed us with two small children. My son is eight years old and my daughter is six years old. To me there's no more heinous



a crime than people who have played upon children and exploited them in a sexual fashion. I mean, it's beyond description when those kinds of crimes take place. I think I have a responsibility not only as a parent, a father, but the responsibility that I have now as a legislator to make sure we do everything we can to put in place legislation to protect our folks who are most vulnerable in our communities.

The member from Niagara Centre touched upon how communities and neighbourhoods functioned many years ago. You know, as a seven-, eight- or nine-year-old, I never thought much about it, because I experienced a similar situation to that of the member from Niagara Centre. I grew up in the south end of Peterborough, where there were no fences and you would just go through the neighbourhood and you were on everybody else's property and that's the way one experienced one's childhood.

But today I think my perspective has changed somewhat. As I said, being a father of a young son and a young daughter, I'm much more protective and much more observant of what is going on in one's community and where you take your kids—the hockey arena and other areas of recreation, and other involvements that you have with your children.

Last night I happened to catch the Fifth Estate. There was a program on the Fifth Estate last night that looked at kind of an interesting relationship between a hockey coach and hockey players. It certainly brought to the forefront some interesting issues with regard to possible exploitation of young people and how somewhat maybe questionable relationships do come about.

I also had the opportunity some years ago to meet with a father whose son had been a victim of sexual exploitation. The father shared with me details that were revealed to him by his son, who went through a situation that is very hard to describe. Certainly, that experience left me with the need to address this particular situation.

I do commend the former government of Ontario under the leadership of Mr. Harris, who in 2001 brought in the first sex offender registry in Ontario.

**1050**

I think it's important that this bill get the opportunity to go to committee, to have hearings. Obviously, there will be people who come forward to provide both pros and cons with regard to this amendment. I know there may be some issues, if this particular legislation goes forward, that may bring about some charter challenges, and I think it would be an opportunity to go to committee to hear legal opinions of experts who are familiar with the Canadian Charter of Rights and Freedoms and how this bill might fit in with regard to that.

The other issue I'd like to talk about for a moment—I think it's certainly related—is the issue of initiatives and how we approach that curse in society called child pornography. The exploitation of children by whatever means is certainly appalling and unconscionable. Collectively, this government and other governments have gone to some lengths to try to address that very serious problem. Through the initiative of hiring 1,000 additional

officers in the province of Ontario—I know some of them, particularly in the GTA area, are dedicated solely to address the issue of child pornography.

Mr. Speaker, I know you've taken the opportunity to visit classrooms in your riding, and you know how proficient children are today in grades 1, 2 and 3 when it comes to embracing computer technology and how familiar they are with using it, certainly more familiar than my generation. So we have an opportunity to make sure we provide funding to reduce the potential exploitation that can occur through computer technology.

I know that in 2005 we had the introduction of CyberCops, a new software package that was targeted towards grades 7 and 8 students in the province of Ontario to be safe online and protect themselves from Internet stalkers. I know that our colleague the Minister of Community Safety and Correctional Services, along with my colleague the member from Scarborough—Agincourt, is having an event today to talk about software in classrooms in order to protect children.

So I'm prepared to support this bill, move it on to committee and have some in-depth discussions on this very serious matter.

**Mr. Frank Klees (Oak Ridges):** I'm pleased to participate in this debate. I want to commend my colleague from Cambridge for bringing this important piece of legislation forward. Certainly, I will be supporting it. I agree with other members who have spoken who suggest that it should have the appropriate time of hearing in a standing committee, and I look forward to the government giving much more than empty rhetoric to the principle of ensuring that our children are safe, that our communities are safe. We only do that by ensuring there is proactive legislation in place that helps us achieve that end.

I am participating in this debate from the standpoint certainly as a member of this Legislature, but also as a parent, and to allow my discussion to be informed by my role as the education critic in this Legislature. To that end, I want to point out to the Legislature that we have a significant problem in terms of allowing the issue of sexual abuse to simply not be given the attention that it should be.

I want to refer, for example, to decisions that have recently been made by the College of Teachers' disciplinary committee. I want to read into the record some of these decisions, because I'm sure that it will be shocking to many members of the Legislature and perhaps encourage them to support Mr. Martiniuk's bill, because these are issues that not only do not get public exposure, and I believe they should; in fact, it is issues such as these that should be added to that registry. Let me give you an example.

In the case of Julia Ann Webb, a teacher, 34 years of age, she admitted sexual relations with an 18-year-old student who had been in her class, and here were her consequences: The college asked for a revocation of her licence, and the panel suspended her for one year. That was her consequence.



Dale Fisher, a teacher and former Ontario Secondary School Teachers' Federation activist, was found guilty of possessing child pornography, and here were the consequences: The college asked for a revocation, and the panel suspended him for 22 months—22 months and he's back in the school system.

A-Miron Kurczak, teacher, pleaded guilty to uttering threats and assault against a police officer and physical assault of a 13-year-old male student: suspended for 18 months.

John Domenic Di Pasquale, coach of a 14-year-old girls' soccer team, held question-and-answer sessions on sexual matters and his preferences in hotel rooms at away games. The result was a reprimand. That's it.

Kenneth Hammond, boundary violations with two female students under 14, received a reprimand; very few details in the decision.

We have another circumstance of a Philip Louis Roy, also known as Philip Louis King. He pleaded not guilty to the allegations but the panel found King's arguments to be without substance and indeed found him guilty in January 2003. This is an individual who faced seven allegations of professional misconduct related to accessing and viewing websites containing child and adult pornography on computers on school property. This is an individual who is now in a position of being reinstated into our school system. That's what's happening in our school system.

It's simply because society is taking the position that we can't be too hard on these people. There's so much discussion about the rights of the criminals in our society today that we forget the rights of the victims. We forget the responsibility we have as legislators to ensure that the rights of our law-abiding citizens are upheld and that our communities are ensured to be safe. So anything we can do to send the message to those who would abuse that freedom that there is a risk to doing that, I support, and I support Mr. Martiniuk's bill for that reason.

**The Deputy Speaker:** Mr. Martiniuk, you have two minutes to respond.

**Mr. Martiniuk:** I'd like to thank everyone who spoke to this matter: my good friend Elizabeth Witmer, the member from Waterloo, who has worked tirelessly with children and the education system in Waterloo and in this House; Joe Tascona, the member for Barrie-Simcoe-Bradford, who brought his thoughtful and legal background to bear in regard to this issue; Frank Klees, the member for Oak Ridges and our education critic; Khalil Ramal, the member for London-Fanshawe; Jeff Leal, the member for Peterborough; and of course Peter Kormos, the member for Niagara Centre.

I believe that my Bill 73 is a safety issue. If we, as legislators, can save one life by altering and expanding the scope of this bill, then we have done our job in protecting our children. It also would extend the registry to those convicted outside of Canada. I am concerned, because of the openness of the registries in the United States and the closed registries in Ontario and other provinces in Canada, we might become a safe haven,

where sexual predators would be coming to this jurisdiction to escape what they see as the onerous registries in theirs.

I would ask you to consider supporting my bill, and we'll have it referred to committee. Thank you.

1100

KEVIN AND JARED'S LAW  
(CHILD AND FAMILY SERVICES  
STATUTE LAW AMENDMENT), 2006

LOI KEVIN ET JARED DE 2006 MODIFIANT  
DES LOIS EN CE QUI CONCERNE  
LES SERVICES À L'ENFANCE  
ET À LA FAMILLE

Mr. Jackson moved second reading of the following bill:

Bill 89, An Act to amend the Child and Family Services Act and the Coroners Act to better protect the children of Ontario / Projet de loi 89, Loi modifiant la Loi sur les services à l'enfance et à la famille et la Loi sur les coroners pour mieux protéger les enfants de l'Ontario.

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 96, Mr. Jackson, you have up to 10 minutes.

**Mr. Cameron Jackson (Burlington):** In 2002, Jenny Latimer of Burlington fled with her sons Kevin and Liam to Halton Women's Shelter after suffering constant verbal, emotional and physical abuse. When Jenny first made application to the courts to protect herself and her children, the father was granted supervised access. Within a few months, however, this order was changed to grant unsupervised access outside of the jurisdiction where the mother and the children lived. Kevin Latimer-Campbell died just three days short of his second birthday, five months after he plunged from a three-storey window in his father's apartment. According to the media, his father was completely unaware that Kevin was missing. He was charged with criminal negligence causing bodily harm.

This is the second time that I have read that testimonial into the record of this Parliament and it is also the second time that I have tabled this particular piece of legislation. It was exactly two years ago next month that this House unanimously passed legislation in those days known as Kevin's Law. There are several members in the House with us today who participated in that debate, and I know they're going to participate again. At that time, we said that we really needed to proceed to make this a law because then and only then will we have the knowledge as legislators as to how we can ensure that these kinds of tragic deaths do not repeat themselves. That bill did get passed, but it died on the order paper. Here we are today, reintroducing this bill.

It's a very simple bill. It basically says that when a child in the province of Ontario dies while in the supervised or unsupervised access of a parent who has demonstrated violence—and it's been documented—to the



family, and that child dies, then there should be an automatic coroner's inquest in this province. During that inquest, the victimized family should have standing so they can cross-examine the system, the very system which, in their opinion and the coroner's and the coroner's jury inquest's, may have contributed to the death of their child.

The purpose of a coroner's inquest is to give the departed a voice. The motto for the coroner's office, as we all know, is, "We speak for the dead to protect the living." That's what we were trying to achieve two years ago.

In the last two years, a lot of tragedies have occurred. On March 18 in Brantford, Ontario, eight-year-old Jared Osidacz died at the hands of his father, Andrew Osidacz, who died a few hours later. On that day, three other individuals, by a miracle, did not surrender their lives. The lives of Paula Ferrell and Sarah Ferrell were spared because of Jared's courage. Julie Craven, who sat with her husband with a knife to her throat, endured 40 minutes, pleading, "Will someone please find out if my son Jared is alive? Will someone please phone the police? Will someone please phone the paramedics to save his life?" No call was made. And we will never know the degree of the distress that Jared, in his last hour, his last minutes, endured and whether we could have saved his life. The only way we will know is through a coroner's inquest.

Two weeks later in this province, outside of Ottawa, the entire Mailly family was killed under almost exactly the same circumstances: Jessica, 12; Brandon, 9; Kevin, 6; and their mother, Francine, all died at the hands of an abusive father and husband, and the father, Frank, lost his life as well that day.

Now, what's significant about these tragic deaths is that we will never know if they could have been avoided, because we have no road map to determine just exactly how these incidents occur and why they occur. But to listen to the families who are here in the House today—the Craven family is here and the Latimer family is here; the Latimer family is here for the second time to listen to this debate. They are here to appeal to the Parliament of Ontario not just to pass this in second reading, something that you did two years ago and will undoubtedly do again today, but that you understand what these families have gone through and determine that it is essential that we empower the coroner to automatically call for these coroners' inquests.

There are a lot of things that need to be dealt with and changed. If I had more time—and if this bill goes forward, as I hope it will, to the justice committee, we'll have time to look at the issues. This is not about being critical of the children's aid society. There are several elements common to each of these stories which require review. The whole issue around supervised access in this province—we have two separate forms of supervised access: one is court-ordered through the Attorney General's office, where there is violence; and there is a second stream involving the children's aid societies.

They are funded differently; they are regulated differently. One has specific guidelines; another one has no guidelines whatsoever. The CASs indicate they don't really get paid by the government to do that, and we need to fix that. I have been standing in this spot for over 21 years fighting for changes to the two pieces of legislation which I think cause difficulty for women and children who are the victims of abuse: the Support and Custody Orders Enforcement Act and the Children's Law Reform Act.

Basically, I argued 20 years ago in this Legislature that our courts should make their decisions when it comes to supervised access for children who are the victims of abuse, and should rule in the best interests of the child. What the law says is that it's in the best interests of the child to have access to both parents. Those do not reconcile themselves when you're dealing with violent and abusive partners. Those are the stories that, if Jared were alive today, if Kevin were alive today, if the Mailly children were alive today, they would be able to tell you about how the system failed them.

So we need to look at that. But a police report will never deal with supervised access. A coroner's report, which is separate from a coroner's inquest, which will be handed to the Latimer family for Kevin, which will be handed to the Craven family because of Jared, does not include any information about the issues that they face going forward in court. And we know that history will repeat itself if we're not careful here.

#### 1110

Jenny Latimer is in the House with us today. Not only has she lost her youngest son, Kevin, but her surviving son, Liam, is now in a supervised access program with the man who, in her opinion, is responsible for the death of her child. She has to participate and do that supervision, and yet his rights are upheld to access his child, even though he's not current with his support payments for Liam.

The system's wrong. The system is wrong. That story repeats itself. Andrew Osidacz was behind in his support payments, but he certainly wasn't behind in getting access to his child, whom he murdered. When the courts determine that a child shall be sent to a parent with a known history of abuse and that child dies at the hands of that parent in this province, there should be an automatic coroner's inquest.

**The Deputy Speaker:** Further debate.

**Mrs. Christine Elliott (Whitby–Ajax):** I'm honoured to have the opportunity to speak to private member's Bill 89, Kevin and Jared's Law, An Act to amend the Child and Family Services Act and the Coroners Act to better protect the children of Ontario, for several reasons.

First of all, I'm honoured to speak to a private member's bill in the Legislature for the very first time as an elected representative. I'm also honoured because the protection of and advocacy for children and vulnerable people have always been important to me, both in my professional career before I was elected and also in my personal life.



I've been fortunate to have grown up in Durham region, specifically in Whitby, and to witness what can be done when private citizens work together to make better lives for their most vulnerable community members. The Grandview Children's Centre is an amazing facility for children with special needs, offering physio and occupational and therapy, speech therapy and psycho-educational assessments. The centre is generously supported by communities throughout the region, as is Durham Mental Health Services, which is another community agency serving people with chronic mental health problems. The Carly Centre for Grieving Children has recently been started in Whitby for children dealing with the death of a parent. So you can see that the people in Whitby and Ajax have demonstrated a commitment to helping children and vulnerable people. I'm honoured that they've placed their trust in me to represent them at Queen's Park and to continue that commitment. I want to thank the people of Whitby-Ajax for giving me this opportunity and wish to assure them that I will work hard to bring their concerns forward and to advocate on their behalf.

Finally, I'm also honoured to be able to speak to this bill on behalf of my colleague the member for Burlington, who's advocated for many years for victims' rights. He's worked very hard on this bill and deserves to be commended for his integrity and dedication to these issues.

At the outset, let me express my deepest condolences to the Latimer, Craven and Osidacz families. Your losses are unimaginable to us. All we can do is try to prevent other families from having to suffer the grief and loss that you have, and that is what Kevin and Jared's Law is intended to do.

I know that we share this common purpose and, if I may, I would like to read a statement from Mrs. Marjorie Latimer, Kevin's grandmother, who has stated:

"The past two years, since my grandson Kevin's death, have been a series of emotions during our time of grief. We deal with grief on different levels, and often it is difficult to understand one another's feelings. We try to smile and we try to carry on with our lives, but there will always be someone missing from the family gathering and we can't bring him back. What we must do is move forward and be an advocate for the safety of women and children who live with abuse and violence and neglect."

Jenny Latimer, Kevin's mother, has also said, "Kevin and Jared's Law will help protect many vulnerable children, and hopefully will provide security to the abused parent who has custody of the children."

We owe a duty to these families, to honour and respect their children by supporting this bill. To not do so would be doing them an injustice after they have shown such incredible courage and resolve in the face of their grief and loss.

As you know, the bill provides for an automatic inquest when a child dies from a Criminal Code offence while in the care of a parent who is or has been subject to

supervised access. The bill will also specifically permit the use of the victim's justice fund to cover the cost of legal counsel for the crime victim's family at the inquest.

This bill is elegant in its simplicity and resolves the specific issues that we're faced with today succinctly. I support this bill wholeheartedly and urge my colleagues in the Legislature to do likewise.

**Ms. Andrea Horwath (Hamilton East):** It's my pleasure to join in this debate on Bill 89. I have to say, unfortunately, I wasn't here when the member first brought this issue to the Legislature back in 2004. In fact, I was in the process of getting here, I think, when that debate was happening. It's really, truly tragic that the bill had gotten to such an extent in the process, only to die on the order paper and have to be once again raised. In the interim, there have been a number of other tragedies in the province of Ontario. So I certainly am supportive of this bill. I'll be voting in favour of this bill. I think that it's absolutely incumbent upon us to make sure that, when circumstances like this arise, a coroner's inquest is an automatic thing that is undertaken, that the questions are appropriately asked, and that family members have an opportunity to participate in the process that will shed light on why these tragedies occur.

The children that the member has mentioned in his preparation of the bill will never be brought back to us, but their memories can be honoured through our doing the right thing and moving forward with this legislation. The tragic losses that the family members have undergone in the process of these unspeakable tragedies are something that none of us, I don't think, will ever be able to understand: their anguish, their devastation. So again, it's incumbent upon us to make sure that we do the right thing and move forward with legislation that will address the frustration and the anger that I'm sure they all feel in the way the system has failed them and their loved ones.

I want to thank the member for providing some information to the rest of us in the preparation of his bill so that we could also understand all of the details that he thought were necessary for us to have direct access to. In reading through some of those materials, I thought it was appropriate to quote back some of the correspondence that the member for Burlington has provided to the Attorney General's office and to others who he thought were responsible for seeing these issues move forward. I wanted to quote in particular a couple of sentences, because I think they encapsulate very well the motivation and the reasons why the member is moving forward with Bill 89.

He says: "Through an inquest, we can determine why the courts routinely grant unsupervised access to violent, abusive parents and have in place no program to monitor and follow up on these cases. An inquest will lead to a review of how supervised access programs funded by the Ministry of the Attorney General are resourced and enforced differently than access programs supervised by the children's aid societies.

"Through an inquest, we can determine why no one monitors compliance with court-ordered anger manage-



ment programs. Through an inquest, we can determine why children's aid services are routinely willing to monitor the in-home safety of a mother who is herself a victim of abuse yet fails to inspect and monitor the safety of any child who would be under the sole supervision of a violent parent who has been charged and convicted of assault against his wife and children."

I thought it was important to also bring voice in this Legislature to a quote that I read from Jared's grandfather, John Craven. So I'm going to do that, because I think one of the things I would like to discuss in my remarks today is where I see other issues needing to be addressed that will perhaps prevent these deaths from taking place in our communities. So it's not a matter of only the inquest and the aftermath, but it's preventive, proactive measures.

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Coincidentally enough, Bill 88 is a bill that I brought forward that would ask that the Ombudsman be responsible and be given the authority to have oversight into children's aid society complaints. Interestingly enough, Bill 89, the very next bill, is this bill that we're debating today, which addresses similar issues but from a different perspective.

Before I do that, though, I want to raise this issue in the words of Jared's grandfather. He's speaking about the person who murdered his grandson:

"This man violently and viciously beat my granddaughter, broke his probation and walked out of a court-ordered anger management program. All of the signs were there. This abusive man should not have been allowed unsupervised access every weekend with my grandson. I blame the system that paid no attention to my daughter's safety concerns. If they had, I believe that my dear grandson Jared would be alive today. Someone needs to hold them accountable."

That's what we we're trying to do in regard to this particular bill brought forward by the member from Burlington. But I have to say the experiences of the mother of Jared are also a failure of the system. Unfortunately, they're a failure of the inquest system, because there have been many coroner's recommendations coming from inquests into violence against women that have not been acted upon by all governments. Yes, inquests are important, but so is the implementation of the recommendations that come from those inquests. So I thought it appropriate to raise the comments of Mr. Craven, because I think that while we need to do the right thing by these children who have been murdered, we also have to acknowledge that inquest recommendations sitting on shelves gathering dust will never solve the problems that we see in our communities and in these families. We have to redouble our efforts to make sure that when these recommendations come forward, they are acted upon, and that we do everything we can do to make sure those recommendations are acted upon so that the system no longer fails.

I spent some time looking at the coroner's role and found a document called Aid to Ontario Inquests. It's a

document that's available; it was published in 2005. It basically goes through the process of what needs to happen in the undertaking of an inquest, what are the processes and the reasons behind the various stages that are undertaken. I found a very interesting thing on page 3, after the cover page and the contents page. It says:

"History

"The inquest has its origins in 11th-century England. When a body was found, a representative of the crown had to decide five things:

"Who was the deceased?

"Where did he or she die?

"When did he or she die?

"How did he or she die?

"Who was to blame?"

Then there's something I've highlighted with my highlighter because it says "(NOTE: blame can no longer be assigned by inquest)." That caused me some concern because it seems to me that one of the things we're trying to get at with this bill is exactly those issues. It's not necessarily blame for the sake of blame, but identifying what went wrong and which system or which part of the system was to blame for the result that eventually occurred.

Interestingly enough—and I think the member mentioned this, if not in his remarks, certainly in some of the information he provided—it's frustrating that in Ontario right now, mandatory inquests are conducted into deaths arising from accidents, particularly in construction, mining, pit or quarry sites, and occurring when someone who has been detained dies in custody. Automatically there's an inquest into those situations. I think it's really obvious to all of us here why it's important to add the situation that the member brings forward today to the list of automatic inquests that occur in Ontario.

I have to say that there is work that needs to be done in advance of getting to the stage where there is an inquest required. In other words, there are things we need to change with the systems before we get to an inquest. We need to do some preventive work. We need to change the systems. We need to provide opportunities for change to take place, particularly within the child protection system, particularly within the oversight of children's aid societies being provided by the Ombudsman. I raise this because I think that not only do we need to do the inquest work, but we need to do the work that prevents us from being in a situation where inquests are required. We need to make sure that we're doing everything we can to protect children before they're in a situation of being in harm's reach.

It's difficult to believe that the coroner doesn't have more powers to determine what led to these deaths and why these deaths took place. I found that out myself in a situation in Hamilton when I asked the coroner to review some deaths that occurred after the transfer of patients from a facility called Chedoke continuing care centre. Interestingly enough, the coroner at that time told me that his particular scope, his focus, was too narrow to be able to determine whether, in fact, all of the issues that we



thought were important and that family members thought were important surrounding these moves in any way could be related to the fact that deaths occurred. That, to me, sent out warning signals that said there need to be other ways of looking at systems and looking at decision-making processes where we can get at some of these issues outside of the inquest process; and that, in the case of children, is giving the Ombudsman oversight into children's aid societies. Again, it's not an issue of blame, but it's an issue of having an opportunity for systemic review, for proactive activity, for proactive recommendations to come forward to prevent children's deaths from happening.

In fact, I took an opportunity to look at the outstanding list of the chief coroner's schedule of inquests for April of this year. There are two pages of inquests that are outstanding where recommendations still have not come forward. Any time that lapses between the beginning of the process and the end, more children are put at risk. That is why I think it's important to acknowledge that we need to do some other work in these systems.

The Ombudsman, André Marin, said this in a letter that he sent in the debate around Bill 210, the amendments to the Child and Family Services Act, which we recently passed in this Legislature. He sent it to the minister and he sent it to a coroner's office. He said:

"During the public dialogue over the lack of oversight of the children's aid societies, my position has been consistent and shared throughout the last 30 years with all six Ombudsmen since the tenure of Ontario's first Ombudsman, the late Arthur Maloney, QC. Whereas various bodies, including the office of the chief coroner, contribute through the exercise of their function to having the CASs revisit from time to time established practices or approaches to their work, sadly, there does not exist in Ontario a general oversight function vested in an independent, impartial investigative body tasked with taking complaints from citizens. For a province which prides itself on the importance of accountability in the exercise of public functions, this gap is glaring, especially since the CASs are entirely funded with public funds to the tune of \$1.5 billion a year."

He goes on to state his case again, and again, much of this was brought to light around the Jeffrey Baldwin case. He goes on to say, near the end of the letter: "The horrific death suffered by Jeffrey Baldwin after two murderers were handed his custody aided by the CCAS should make us all explore ways to make the system proactive"—proactive—"in investigating complaints instead of reactive once a death has occurred."

I absolutely support the member from Burlington. I think that his bill is long past due. I think taking the action that he describes in regard to the situation where we have lost young lives in our province at the hands of people who were entrusted with their care is extremely important and needs to be done absolutely. So Bill 89 is certainly something that I will be supporting, not only now, but as it goes through the process and hopefully becomes legislation.

1130

I hope the members in this chamber also acknowledge that Bill 88, the one prior to that in this book of bills before the House, is also taken with serious consideration. We not only want to investigate and bring recommendations on the death of a child, but we want to act proactively. We want to change the systems to be sure that children are not put in situations where their purported loved ones, the people who are supposed to be caring for them, are in fact doing the opposite and putting them in harm's way, and in these tragic situations, taking their lives.

**The Deputy Speaker:** Further debate?

**Mr. Khalil Ramal (London-Fanshawe):** Thank you for giving me the chance to speak on a second bill, Bill 89, brought by the member for Burlington. I want to commend the member for bringing such an important issue. I believe strongly that the death of a child under any circumstances is tragic. It's our duty, as people who get elected to this position, to protect children and bring bills and talk about these issues and try to implement whatever will be passed in this House in order to protect our young ones.

When I look at Bill 89, I see he's talking about two sections. One section is about the Child and Family Services Act and the other is the Coroners Act; two different ministries.

I will start with the Child and Family Services Act. I believe strongly—I listened to many speakers, I listened to the member who brought this bill. I think it's very important to create some kind of mechanism to protect our young ones who are considered vulnerable, especially young persons or children being placed in a place that abuses them and, in the end, those children die as a result of the abuse of their parents or someone in whom the children's aid society placed trust and put them in an environment that cost their lives.

I think it's important to study this issue. That's why our Minister of Children and Youth in this House, Minister Chambers, has brought many different bills in order to reform the child act in this province. One of the most important ones was Bill 210, which talks about the role of the Ombudsman, the role of children's aid societies, the role of kin, family etc. to protect youth and make sure, when we place any loved one, we're going to place them in a safe environment. It's very important to recognize the importance of our young ones in order to create an environment for them to live safely and be productive in the future, because we depend on them in the future.

That's why I believe strongly that the best start for kids is when we place them in a loving environment, an environment that nurtures them to be good citizens in the future. So it's important to open this topic, it's important to talk about it, but it's most important, as the member for Hamilton East says, to not just talk about the issues; we have to implement them.

In the case of the coroner, the coroner's work is arm's length from the ministry and I think, as a government, we cannot interfere in this issue. The member for Burlington,



who was a minister in the past, knows very well we cannot force or put our wish and will and order the coroner to do whatever. I think it's against the law. We have to respect his jurisdiction, his ability and his or her judgment when they ask for an inquest or do not ask for an inquest. It's an inquest. I think the coroner and his or her staff have the ability to ask for inquests.

But the most important thing, and I want to go back to it, is not after the person dies but before; what we have to do to protect our children before they die; how we can create an environment for them to live and be protected. This is very important to us. I think this bill should focus on how we create and clean up the act and the agencies and boards which govern this issue, to be more sensitive, more flexible, more open to protecting the children, not just give them out because we have to dump the responsibility on other agencies or other boards.

I think it's important, and I want to thank the member from Burlington for bringing this issue forward. Hopefully, we can see some kind of resolution as a result of it.

**Mr. Jeff Leal (Peterborough):** I'll take this opportunity to say a few words this morning on Bill 89. There's nothing that shakes the foundations of a community, of a neighbourhood more than the death of a child. Lord Balfour once remarked that those who fail to learn the lessons of history are doomed to repeat them. One of the objectives of this bill is, through a coroner's inquest, to look at the tragic circumstances that surround a death, particularly the death of a child, and use that information to provide a framework for the future, an opportunity to change government policy.

I note this morning the late Dr. Morton Shulman, who in the 1960s was a renowned chief coroner here in Toronto. One of the reasons he sought and was elected to become an MPP of this body was that he was always concerned that the government of the day did not listen to his recommendations when he would review cases in his role then as the chief coroner for Toronto. When he got to this august place, one of his main focuses was to make sure recommendations that were made by coroners were implemented in government policy.

I did learn that in Ontario, the Coroners Act requires an inquest when death results from an accident on a construction project, a mining plant or a mine, including a pit or quarry, while detained by or in the actual custody of a peace officer or while an inmate on the premises of a correctional institution or lock-up in the province of Ontario.

We did learn in the past few days that the Office of the Chief Coroner advised on April 7, 2006, that the pediatric death review committee, the PDRC, will review all deaths involving children who were under the supervision of children's aid societies in the province of Ontario. The committee will also produce an annual report detailing the findings and recommendations of the reviews. Previously, only those deaths that were considered suspicious were reviewed. The purpose of the review is to provide assistance in determining the cause, the manner of death, provide recommendations or other

investigative initiatives or to make recommendations for systemic changes. This committee is chaired by the deputy chief coroner, Dr. Jim Cairns. The PDRC examines child deaths and makes recommendations in preventing future deaths.

I do believe that is a positive initiative and, coupled with the objectives through Mr. Jackson's bill this morning, will lift the veil, shed light on circumstances and provide a pathway for the future of how these are to be handled. Indeed, it will be my pleasure to support Bill 89.

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** I certainly would like to confirm my support for Bill 89, Kevin and Jared's Law. First and foremost, I extend my sincerest sympathies to the Craven, the Latimer and the Maily families, and all families who have endured such tragic events.

As we know, in 2004, Mr. Jackson's bill, Bill 78 at the time, did receive unanimous support in the Legislature. It was a setback when Kevin's Law died on the order paper. Fortunately, my colleague from Burlington has reintroduced the legislation, Bill 89, Kevin and Jared's Law, An Act to amend the Child and Family Services Act and the Coroners Act.

#### 1140

Like its predecessor, this legislation calls for an automatic coroner's inquest when a child dies in the care of a parent or a family member who has been the subject of court-ordered supervised or unsupervised access. As we know, the Coroners Act already extends an automatic inquest when a worker dies in, for example, a mining accident or a construction accident, and we also know that this is also extended when a prisoner dies in custody. So by passing this law, we have the opportunity to give our most vulnerable children a right that we already give to criminals.

I have recently learned that John Craven, grandfather of Jared, is circulating a petition in the Brantford area. I'm pretty sad to see the necessity for that, and I look forward to the opportunity to help distribute that petition and continue to rally support for this initiative.

Really, what this law comes down to is accountability. How can we, as legislators, continue to accept the status quo that gives, in a sense, prisoners more rights than our most vulnerable children? In this case, making reference to one victim, a victim who was a hero and at eight years old, Jared died defending two other people. We know that he died at the hands of a violent man, and we know that he died at the hands of a criminal. We also know that he died while on an unsupervised parental visit, despite his father's parole violations and refusal to attend court-ordered anger management classes. Now, if this man had died in jail, there would have been an automatic inquest. Indeed, an automatic inquest would help us to better understand the shortcomings in the system, equipping us to make any revisions that would be necessary.

The law will not bring back people like Jared or Kevin, but it will tell us where the system goes wrong and why it went wrong and how we can better prevent these kinds of tragedies. I personally will be supporting



this legislation, and I again look forward to unanimous consent among members present.

**Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm pleased to join in the debate with respect to Bill 89, Kevin and Jared's Law, An Act to amend the Child and Family Services Act and the Coroners Act, which I had already debated in a more limited form when it was brought forth two years ago by the member from Burlington.

There's no doubt that—and I share the comments from the member from Hamilton East—I have a great respect for the office of the Ombudsman and the current Ombudsman and what he put forth in terms of dealing with oversight powers with respect to the children's aid societies. That's something that I think the government has made a big mistake on with respect to not following his recommendations to deal with this particular area.

Obviously, there's a shortfall with respect to how children's aid societies are dealing with these types of situations, and the proof is, unfortunately, we have family members today of children who have been killed. What we're looking for here in this bill is something that is the end of a tragic situation, a coroner's inquest where what we should be looking at—not only in addition to this—is the Ombudsman's powers in terms of making sure something like this does not happen. But the government decided that they knew better, and they went forth with their bill. That's where we are today. I know that the members here who really feel for this issue are not going to stop pushing with respect to the Ombudsman having an oversight role.

The other part of what we're dealing with here today is the coroner's inquest. As the members correctly pointed out, the Coroners Act already provides automatic inquests with respect to deaths on construction sites, with respect to mining and deaths of prisoners in institutions. What we're asking for here today is very simple: that there be a coroner's inquest in situations where there's court-ordered and supervised, directed access by the children's aid society who have the responsibility for the safekeeping of these children.

I'm going to share my time with my other colleagues. I support this bill and I commend the member for bringing it forth once again. I hope the government decides to act on this bill and not put it into cold storage, which it did two years ago.

**Mr. Dave Levac (Brant):** I usually express my appreciation for being able, and my desire, to positively speak about something. In this case, I have to say from the outset that this is one of the toughest moments of my life, talking about this particular bill and the associated tragedies that are attached to it.

I will start by offering my sincere sympathies and my heartfelt prayers to the families, as I have done in the past. I will continue to support the member's bill, as I did two years ago, and explain that as an educator for 25 years I was exposed to some horrific abuse and find it to this day unacceptable that we abuse our children. I would challenge all of us out there to keep in mind that a

coroner's inquest is to start something positive after, and unfortunately, we're talking about it as if it were after the fact.

What a coroner's inquest does is make those recommendations for the future. I would suggest respectfully that the government did not fail the last time the bill was introduced. The House prorogued, and that's what happens with all bills unless governments carry them forward. So it's very delicate for me to say that we need not to talk politics, but we need to talk about correction and doing what's right. I will stand before you to tell you clearly that I support the bill. I support the member's intention. I support the member's desire to see an injustice turned into justice.

There are times when we have opportunities in this place called private members' time to step forward as a collective group of legislators who have the authority and the ability to suggest bills that governments, throughout history, have not set as a priority or have not picked up on or not recognized as issues. So we take these very sincerely from our constituency. I would suggest and recommend very respectfully that we've now seen what communities in our province have to suffer. I can't put into words the pain and suffering that these parents have gone through. We can't put it into words. We don't understand their anger. We don't understand their distrust. We don't understand their passion. But we can take action about it. I respectfully suggest that all members in this House will be supporting the bill to get it to committee.

I would also suggest to you that there are times in which we need to hear our constituents. I would say respectfully again that, in an article that was printed in the press, John Craven collected over 20,000 signatures and growing, and had plenty of disturbing stories that were relayed to him about domestic violence just in a week. Here is his quote:

"You wouldn't believe the horror stories I've been hearing," Craven said. "I haven't heard anything that compares to what we've experienced, but still there are a lot of stories of abuse out there."

"I really had no idea how rampant it was until I started with this petition. There are so many women out there in similar situations."

"Craven is the grandfather of Jared...," an eight-year-old boy "who was killed by his father, Andrew, in a domestic dispute on March 18.

"Jared died defending two other people, Paula Ferrell and her eight-year-old daughter, Sarah. Both suffered stab wounds and were hospitalized following the attack....

"Julie"—the mom—"was the custodial parent of Jared but her estranged husband had some weekend access to their son....

"Craven has been surprised by the reaction to the petition.

"The support we've been getting from people has been terrific," Craven said. "The number of people who have signed ... it's astronomical.



"I really didn't know what to expect when we started this. I've never been involved in something like this before." ...

"We need to get some changes," Craven said. "This isn't something that will help us but it might help other families."

"No family should ever have to go through something like this."

That's what I want to talk about. That shows me the "bravery" word that's been bandied about, the amazing bravery of this family to step forward and talk to many members, including the member from Burlington, myself and others, to bring their story forward and ask us, "Don't let this happen to somebody else."

1150

That's why I'm challenging us to support the bill—not because it's political, not because it's government versus the opposition. That's not what we're doing here this morning. What we're doing this morning, and every Thursday morning in private members' business, is to bring those kinds of issues forward and ask us all collectively to change some things that would make it better for our children, in this case.

I'm proud of the moments we have like this, where collectively we all stand up and have our say, with no shackles. The member from Burlington wasn't told by his opposition leader, "Tackle this one." We weren't told by the Premier, "Reject this one" or "Pick this one up." This is private members' business. This is members' business that is coming to us from the opposition. In my mind, I'm not talking to a member from the opposition. I'm talking to an honourable member who has brought us this issue and wants us to deal with it. That's the challenge.

We should remember that this is not about politics, believe it or not. I've been chastised once already in this place for saying it shouldn't be like that. I say to all of us, forget those shackles. This is the time to shine, to listen to the 20-some-odd thousand people who have signed those petitions, to the family members who have offered us an opportunity to do something. I still have a hard time understanding how they find the strength to do this, which is to leave their own personal grief aside and ask us to do something so that it doesn't happen again to somebody else's baby.

I say to the member from Burlington, as I did two years ago, I thank you for bringing this forward. I fully support what you're asking us to do. I challenge us all to set aside any shackles you may have been given or want to use and to say, "Let's just do the right thing."

**Mr. Gerry Martiniuk (Cambridge):** I'm most honoured to be able to support my good friend the member from Burlington in his continuing efforts to represent victims and families in our society.

I met the member from Burlington 12 years ago, I think, for the first time. I was not a member then. He was at that time advocating on behalf of French and Mahaffy through that tragedy. As a lawyer, even though I did not do criminal work, for the first time I had an inkling that our adversarial, common-law system, as it presently

stood, really had no place for victims or their families. We had the Queen or the state on one side, we had the accused on the other side, and lawyers, judges and crowns talked about the rights and obligations of the accused. I can't remember in the little criminal work I did 30 years ago any discussion, ever, of "How about the victim?" or "How about their family?" There were no impact statements from families; there was none of that. Through the efforts of my good friend the member from Burlington, among others, we are coming to realize more and more the deficiencies in our court system in not recognizing the rights and obligations of our society to not only the victim but their families.

My condolences to the families who are present in the House. I believe that this bill will give us the very important answers that will in the future prevent tragedies of this kind.

Really, the bill asks for very little. We already have an automatic coroner's inquest in the case of construction accidents, and so we should. We already have an automatic inquest where a prisoner dies in custody, and so we should. And here we're asking for an automatic coroner's inquest where a child dies in the custody of a person who was or had been under supervision. It's a simple request and it's not an expensive matter. More important, just think of the lives that we can save.

I was most pleased to hear the comments of the government whip. I think he showed a great deal of understanding and became an advocate for victims too in his comments that this is not a matter of partisan politics; this is a matter of recognizing that the victims and their families must be recognized by our society as having certain inalienable rights. We have an opportunity here to prevent a repetition of these tragedies.

**The Deputy Speaker:** Further debate?

Mr. Jackson, you have up to two minutes to respond.

**Mr. Jackson:** First of all, I want to thank all the members of the House for their heartfelt condolences to the families and for their contribution, as I did two years ago. Today, we have more families here, tragically and unfortunately.

To the families: As has been said earlier, I've been advocating for victims' rights in this province for over 21 years. In fact, I've been defeated three times on the floor of this Legislature to bring in Ontario's first Victims' Bill of Rights. But I was successful and we now do have an Office for Victims of Crime; we do have a victims' justice fund; we have criminal compensation, victims' impact statements. All of those flowed from those rights.

But we still do not give victims a voice when it comes to a coroner's inquest. When the murderers of these children died, the book closed. They didn't have the opportunity to go to court and reveal all that happened. Our only court of public concern is a coroner's inquest. That's the message the families are trying to give us today.

We admire their courage. We admire their strength. One can only imagine their grief. I come from a family where my mother has buried three of her children, and I

only was alive for the loss of one brother. I've seen first-hand what it does to families, and I've spent countless hours with these families. They are pleading with this government, not to pass this bill today—we've been here. They want this government to refer it to the justice committee, to take a week of public hearings so that Jenny Latimer and Julie Craven can come forward and talk to you today and pass this bill in a day and make it a law in Ontario, make it safer for our children. They deserve it. This is Ontario.

**The Deputy Speaker:** The time provided for private members' public business has expired.

**CHRISTOPHER'S LAW  
(SEX OFFENDER REGISTRY)  
AMENDMENT ACT, 2006  
LOI DE 2006 MODIFIANT  
LA LOI CHRISTOPHER  
SUR LE REGISTRE  
DES DÉLINQUANTS SEXUELS**

**The Deputy Speaker (Mr. Bruce Crozier):** We'll first deal with ballot item number 29, standing in the name of Mr. Martiniuk.

Mr. Martiniuk has moved second reading of Bill 73, An Act to protect our children from sexual predators by amending Christopher's Law (Sex Offender Registry), 2000. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

We will, after dealing with the next order of business, call in the members for the vote.

**KEVIN AND JARED'S LAW  
(CHILD AND FAMILY SERVICES  
STATUTE LAW AMENDMENT), 2006  
LOI KEVIN ET JARED DE 2006 MODIFIANT  
DES LOIS EN CE QUI CONCERNE  
LES SERVICES À L'ENFANCE  
ET À LA FAMILLE**

**The Deputy Speaker (Mr. Bruce Crozier):** We'll now deal with ballot item number 30, standing in the name of Mr. Jackson.

Mr. Jackson has moved second reading of Bill 89, An Act to amend the Child and Family Services Act and the Coroners Act to better protect the children of Ontario. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

We will now call in the members. This will be a five-minute bell.

*The division bells rang from 1200 to 1205.*

**CHRISTOPHER'S LAW  
(SEX OFFENDER REGISTRY)  
AMENDMENT ACT, 2006  
LOI DE 2006 MODIFIANT  
LA LOI CHRISTOPHER  
SUR LE REGISTRE  
DES DÉLINQUANTS SEXUELS**

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Martiniuk has moved second reading of Bill 73. All those in favour, please stand and be recognized by the Clerk.

**Ayes**

Arnott, Ted	Kormos, Peter	Rinaldi, Lou
Brownell, Jim	Leal, Jeff	Ruprecht, Tony
Dhillon, Vic	Levac, Dave	Tascona, Joseph N.
Horwath, Andrea	Marchese, Rosario	Van Bommel, Maria
Hoy, Pat	Martiniuk, Gerry	Wilson, Jim
Jackson, Cameron	Mitchell, Carol	Yakabuski, John
Klees, Frank	Ouellette, Jerry J.	Zimmer, David

**The Deputy Speaker:** All those opposed, please stand and be recognized by the Clerk.

**Nays**

Patten, Richard

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 21; the nays are 1.

**The Deputy Speaker:** I declare the motion carried.

**Mr. Gerry Martiniuk (Cambridge):** Could I request that the bill be referred to the standing committee on regulations and private bills?

**The Deputy Speaker:** Shall the bill be referred to the standing committee on regulations and private bills? Agreed.

The doors will now be opened for 30 seconds before the next vote.

**KEVIN AND JARED'S LAW  
(CHILD AND FAMILY SERVICES  
STATUTE LAW AMENDMENT), 2006  
LOI KEVIN ET JARED DE 2006 MODIFIANT  
DES LOIS EN CE QUI CONCERNE  
LES SERVICES À L'ENFANCE  
ET À LA FAMILLE**

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Jackson has moved second reading of Bill 89. All those in favour, please stand and be recognized by the Clerk.

**Ayes**

Arnott, Ted	Kormos, Peter	Patten, Richard
Barrett, Toby	Leal, Jeff	Ramal, Khalil
Brownell, Jim	Levac, Dave	Rinaldi, Lou
Dhillon, Vic	MacLeod, Lisa	Ruprecht, Tony
Elliott, Christine	Marchese, Rosario	Tascona, Joseph N.
Horwath, Andrea	Martiniuk, Gerry	Van Bommel, Maria
Hoy, Pat	Mitchell, Carol	Wilson, Jim
Jackson, Cameron	Munro, Julia	Yakabuski, John
Klees, Frank	Ouellette, Jerry J.	Zimmer, David

**The Deputy Speaker:** All those opposed, please stand and be recognized by the Clerk.



**The Clerk of the Assembly (Mr. Claude L. Desrosiers):** The ayes are 27; the nays are 0.

**The Deputy Speaker:** I declare the motion carried.

**Mr. Cameron Jackson (Burlington):** I would respectfully request that this bill be referred to the justice policy committee.

**The Deputy Speaker:** Shall the bill be referred to the standing committee on justice policy? Agreed.

All matters relating to private members' public business having been completed, I do now leave the chair.

The House will resume at 1:30 of the clock.

*The House recessed from 1210 to 1330.*

## MEMBERS' STATEMENTS

### LOWELL GREEN

**Ms. Lisa MacLeod (Nepean–Carleton):** Tonight, the unofficial leader of the opposition—to all levels of government—will be roasted, after 50 years of broadcasting.

Like him or lump him, Lowell Green is a staple in Ottawa politics. His talk radio program, the Lowell Green Show, is listened to by everyone political. His show is provocative. Elected officials who represent ridings in the Lowell nation know he has single-handedly been able to reshape public policy—and public perception—at times by using the power of the people.

Lowell has been a great Canadian and has been recognized with the Royal Canadian Legion's Friendship Award, the Chief of Defence staff medallion and the Queen's Golden Jubilee Medal.

As a former commentator on CFRA, I have worked with Lowell and with his wife, Deborah, from my days at the Canadian Cancer Society. They're ordinary people, but Lowell manages to do extraordinary things. He has played a significant role in the nation's capital. He's a founder of the Help Santa Claus Parade and the Big Brothers of Ottawa and, thanks to the Save Centennial Flame campaign, that flame is still blazing on Parliament Hill.

Lowell is an international award-winning journalist and best-selling author, and tonight, from all walks of life, friends will roast this gentle talk show giant. And like most things Lowell does, proceeds will go to benefit charity: Food Aid 2006, to help the Ottawa Food Bank and the struggling beef industry.

On behalf of this Legislature, I would like to wish Lowell Green, the man with tough-mindedness, humanity and an unusual sense of justice, and his wife, Deborah, best wishes for 50 more years in broadcasting.

### QUEEN'S BIRTHDAY

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I rise today in the House to mark a momentous occasion. Tomorrow, Her Majesty Queen Elizabeth II will celebrate her 80th birthday.

Since assuming the crown in 1952, the queen has served the people of Canada and the whole Commonwealth with an unwavering sense of duty and grace. At an age when most have long since retired, Her Majesty continues to perform her duties with the vigour and enthusiasm of someone half her age.

During her reign, she has presided over major events in the history of this country, from the opening of the St. Lawrence Seaway in 1959—attended by my seatmate, a young Jim Brownell—to the celebrations of Canada's 100th birthday in 1967. Most recently, she was here for the 100th anniversaries of the entries of Saskatchewan and Alberta into Confederation.

In the 80 years since the Queen's birth, we have witnessed dramatic changes around the globe. An individual who lived at the turn of the last century would surely find this one unrecognizable. Through all these changes, the Queen has been a source of stability and comfort to many. Her presence has connected us to the heritage of our past, and her decades of knowledge and experience have served all the countries of the Commonwealth well.

Throughout her reign, Her Majesty has lived a life of discipline and dedication to public service. The Queen's focus has never been personal; rather, it has been one of tolerance of the needs and interests of others. Queen Elizabeth II has served as an example and an inspiration for us all.

I join all Ontarians, Canadians and people around the world when I wish Her Majesty good health, a happy birthday and best wishes for many more years to come.

### HEALTH CARE FUNDING

**Mr. Robert W. Runciman (Leeds–Grenville):** I wish to express my concern with health care cutbacks and the lack of governmental support for the operation of diagnostic equipment at the Brockville General Hospital.

As you know, Mr. Speaker, the Liberal government's decision to break their key campaign promise on taxes by bringing in the largest tax increase in the province's history was justified as being necessary to improve health care. Shortly after that tax increase, chiropractic care, eye exams and physiotherapy were removed from the public system. Ontarians were confronted with the "pay more, get less" health care policy of the Liberal government. In Brockville, we saw the physiotherapy clinic close, and recently the hospital announced staff layoffs and a number of cutbacks, including the closure of its outpatient lab in Prescott. The Prescott community is justifiably upset by this closure, pointing out that it will create undue hardship on the ill, seniors and their families.

The Prescott lab and other health services could be saved if the Liberal government would do the right thing and fund the operation of the Brockville hospital's CT scan. The CT scan's \$400,000 annual operating costs are now picked up completely by the hospital. This is an important service, relieving wait time pressures in larger centres, and the province should be funding it. If this



occurred, Brockville General would be in a position to continue operating its Prescott lab and retain other important services that are now on the chopping block. I urge the Minister of Health to ensure operational funding for the Brockville CT scan.

### IMMIGRATION POLICY

**Mr. Tony Ruprecht (Davenport):** I rise to discuss the status of undocumented workers in the province of Ontario, many of whom work in the construction industry in the riding of Davenport, which I'm very proud to represent.

Members of this House are aware that the status of undocumented workers has garnered significant media attention in the last two months. While the federal government is ultimately responsible for deciding who stays in Ontario and who goes, the McGuinty government and Ontario's Minister of Citizenship and Immigration have been proactive in their approach. Our government has recognized that undocumented workers are a manifestation of a federal immigration selection system which fails to address labour market realities in the province of Ontario. This disconnect resulted in a backdoor immigration system which has been ignored for too long.

This immigration selection system is broken and needs fixing, and for this reason I was delighted to see the signing of the first ever Canada-Ontario immigration agreement last November. This historic agreement will provide \$920 million in new federal money for Ontario's newcomers over five years, and for the first time, Ontario will have the opportunity to be at the table to offer constructive suggestions to the ongoing issues related to immigration.

Finally, we are willing as a province to ensure that the federal government works with us. There's a real demand for people with all kinds of skills in cities and towns across Ontario, and we need to make the immigration system work for the social and economic—

**The Speaker (Hon. Michael A. Brown):** Thank you.

### ELECTRICITY SUPPLY

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** Recently, the Minister of Energy has been out making a plethora of wind farm announcements, a total, in her calculations, of 201 megawatts. However, let's bring that into perspective. According to the IESO, using the 10% reliability factor that they say has to be used, that totals 20 megawatts. To bring that into perspective, you would have to repeat those announcements 25 times in order to replace just one operating unit at Lambton—just one operating unit.

What I'm trying to say is, what a disjointed, incoherent energy policy. They're jumping up and down about these announcements, which are not amounting to anything when it comes to replacing and bringing on new supply in the province of Ontario. What about the trans-

mission situation in this province? Nothing has been said about that and the challenges you have there. What about the OPA report that the minister promised an answer to in 60 days? It is now 132 days.

They don't have a plan. They don't have any idea where we're going in energy. They're digging us into a bigger and bigger hole. It is time to admit that you have mismanaged and brought disaster upon this file. Step out of the way and let somebody run this file who can.

### POVERTY

**Ms. Andrea Horwath (Hamilton East):** I rise today to pay tribute to an exceptional individual who's doing Hamilton proud with his extremely important work on poverty issues. Craig Foye is a young lawyer from McQuesten Legal and Community Services, an organization that I used to work for at one time, in fact. It exists in Hamilton East, actually. He is heading to Switzerland shortly. There he will address a key United Nations committee on Canada's failure to live up to its obligation to provide an adequate standard of living for all. With the support of Hamilton city council and the board of directors of McQuesten Legal Clinic, Craig will be presenting his research to the UN committee on economic, social and cultural rights on behalf of the income security working group in Hamilton.

Thirty years ago, Canada committed to end poverty—Craig's report tells us how—but today, there's more poverty than ever and it targets women, seniors, newcomers, aboriginal persons, people with disabilities and racialized groups. In Hamilton, over 20% of people live in poverty, but 44% of people with aboriginal status and 52% of recent immigrants are living in poverty in that city.

Craig's report proves that the right to an adequate standard of living is not being acknowledged or protected by either the provincial or federal governments. In Ontario, despite promising to end it, the McGuinty Liberal government continues to claw back the national child benefit supplement for the lowest-income families in this province. This has to stop.

My deepest hope and the hope of all New Democrats is that the UN visit will spur real action from the McGuinty government to end the punishing policies like the clawback that keep people in poverty in this province.

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### HOWARD WU

**Mr. Tony C. Wong (Markham):** This morning I had the great pleasure of welcoming Minister of Health Promotion Jim Watson to my riding of Markham to present the Heather Crowe Award to one of this year's recipients: a long-time local tobacco control advocate, Dr. Howard Wu. The Heather Crowe Award recognizes the efforts of individuals and organizations in promoting a smoke-free Ontario by eliminating second-hand smoke in the workplace and in enclosed public places. A champion in



educating Ontarians on the harmful effects of smoking and second-hand smoke, Dr. Howard Wu exemplifies how one individual can make a profound difference in a community.

Last year, Dr. Wu opened the first smoking cessation clinic in York region to help determined smokers quit the habit and help promote a smoke-free environment in the community. Through his volunteer work at the Heart and Stroke Foundation and his own vocation, Dr. Wu has helped prevent youth from starting to smoke and helped smokers quit.

Smoking is the leading cause of preventable disease and death in Ontario, causing 16,000 deaths a year. I'm proud of the McGuinty government's Smoke-Free Ontario strategy and our efforts to recognize the hard work and dedication of people like Heather Crowe and Dr. Howard Wu. I wish to thank Dr. Wu for his accomplishments towards making our Smoke-Free Ontario strategy a reality.

#### REPUBLIC OF CROATIA

**Mr. Bob Delaney (Mississauga West):** Of Canada's 97,000 citizens of Croatian descent, some 62,000 live here in Ontario. Sitting on the eastern Adriatic Sea, where western and eastern Europe meet, the still-young Republic of Croatia is open for business to Ontario.

I would like members to join me in welcoming Croatia's ambassador to Canada, Mrs. Vesela Mrden Korac, who is in the west members' gallery. She is joined by Mr. Mario Livaja, Croatian Consul General in Toronto; Mr. Ivan Grbesic and Mr. Mike Yelavich, members of the board of directors of the Canadian-Croatian Chamber of Commerce.

In 2005, Canadians exported some \$25.7 million of goods and services to Croatia, mainly telecommunications, pharmaceutical products, metal and electrical products. In 2005, Canada imported \$11.4 million worth of product, principally food, textile products and pharmaceuticals.

Some 19,500 Canadians visited Croatia on vacation in 2005, seeing some of the most stunningly beautiful scenery in Europe. Croatia needs Ontario investment, and Croatia makes it easy for Ontarians to do business there. Croatia is growing its business sector and infrastructure even as it protects the environment and uses its natural resources sustainably.

Croatia needs what Ontarians do well in infrastructure. Croatia hopes to join the European Union before 2009 and to host Ontario businesses, for whom Croatia will be one of their gateways in eastern Europe.

#### TRILLIUM HEALTH CENTER

**Mr. Tim Peterson (Mississauga South):** I am pleased to rise today to inform the House of an award given to the Trillium Health Centre. Earlier this morning, the Trillium Health Centre received Ontario's first Innovation Award for Improving Quality and Patient Safety.

This award was given by the Ministry of Health and Long-Term Care. They won over 620 other submissions.

Trillium won the Innovation Award for its breakthrough work with the Trillium order sets system. Order sets are used by physicians to order medications, treatments, procedures and consultations for each patient; in effect, the detailed instructions for today's complex treatments. With the Trillium order sets system, the physician uses a sophisticated checklist that is adjusted to the patient's medical history and diagnosed condition. The system maximizes efficiency, improves safety and enhances quality of care.

The Trillium order sets system is a component of Trillium's groundbreaking THINK initiative. THINK, which stands for "transforming health care into integrated networks of knowledge," is the technological enabler that will allow Trillium to fulfill its mission of transforming the health care experience.

Today's award honours Trillium's commitment to innovation and to THINK.

On behalf of myself and the other members in Mississauga and Etobicoke—Minister Broten, Minister Takhar, Peter Fonseca and Bob Delaney—we are pleased to acknowledge Katherine Decaire, a nurse practitioner, Zelia Campos, a registered nurse, and Dr. Chris O'Connor from the Trillium Health Centre. They were supposed to be in the gallery today, but unfortunately the logistics didn't work, so I would just ask the House to give a nice round of applause in recognition of their terrific work.

#### LEGISLATIVE PAGES

**The Speaker (Hon. Michael A. Brown):** I would like to ask all members to assist me in thanking the good hard work of our pages, who have served us admirably and with great aplomb during the last few weeks.

#### MOTIONS

##### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I seek unanimous consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon. Michael A. Brown):** Agreed? Agreed.

**Hon. Mr. Bradley:** I move that, notwithstanding standing order 96(d), the following change be made to the ballot list of private members' public business: Mr. Miller and Ms. McLeod exchange places in order of precedence such that Ms. McLeod assumes ballot item 38 and Mr. Miller assumes ballot item 77.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.



## STATEMENTS BY THE MINISTRY AND RESPONSES

### EARTH DAY

### JOUR DE LA TERRE

**Hon. Laurel C. Broten (Minister of the Environment):** As environment minister for this great province, it is my privilege to draw the attention of this Legislature today to Earth Day, this Saturday, April 22.

For 36 years, Earth Day has catalyzed people around the globe to be more aware, to care and to act more consciously to protect our environment, but as we all know, the environment needs much more than a day.

Awareness about environmental protection has been growing steadily since the inception of Earth Day.

No single action captured our imagination more than in September 1971, when a small group of men started to sail from Vancouver to Amchitka Island in Alaska on a fishing trawler that they had just rechristened the Greenpeace. The late, great Bob Hunter was on that boat. With his actions and writings over the ensuing 35 years, he was a catalyst and a symbol of a globe-spanning environmental awakening.

The first voyage of Greenpeace, then known as the Don't Make a Wave Committee, revealed that there was much more public concern about environmental issues than anyone had realized.

This week, we're not just marking Earth Day; we've declared it a week in which to focus our attention on our planet and our environment.

Earth Week 2006 is the first without Bob Hunter, though. He passed away late last May. This week, we remember and celebrate the courage of a man who was guided by his conscience and who did everything in his ability to leave the world a better place than he found it.

While most of us may never take the type of action that Bob did to fight for his principles, we do have the potential to effect real change for the better. Twelve million Ontarians look to us to protect their health and quality of life and to preserve our province's enormous resources.

Douze millions d'Ontariens et d'Ontariennes nous font confiance pour protéger leur santé et leur qualité de vie, et pour préserver les ressources et le potentiel énormes de notre province.

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I am proud to say that this government can stand proudly on its environmental record. We can say to the public, yes, we meet our promises; yes, we are tackling the environmental threats to your health and the health of your families. We've imposed tougher standards on industry. We have clear new water rules for municipalities. We have engaged communities, businesses and other levels of government in innovative new partnerships for action. And there is new funding for scientific research on environmental issues.

Is Ontario on course to be healthier and better positioned for prosperity? We believe wholeheartedly that this is the case. Is our work completed? Of course not.

We have accomplished a great deal. We've made the commitment to clean drinking water because there is nothing more fundamental to our health or our communities than a supply of safe water.

Nous avons pris l'engagement d'assainir l'eau potable parce que rien n'est plus important pour notre santé ou celle de nos collectivités qu'un approvisionnement en eau sûre.

Today in Ontario there are more drinking water inspectors. There are rules for drinking water systems in our communities that make sense for their needs and their budgets. There are new training requirements for the professionals who treat our drinking water, and our communities have already received millions of dollars in funding as part of our \$67-million commitment to scientific research on water protection.

Right now, our most significant step forward for safe water is being considered by this House. We intend to give Ontario what it has needed for so long: a Clean Water Act, a bill that will let our communities prevent water contamination before it happens.

Nous entendons donner à l'Ontario ce dont il a besoin depuis si longtemps : le projet de loi sur l'eau saine, un projet de loi qui permettra à nos collectivités de prévenir la contamination de l'eau avant qu'elle ne se produise.

We can't go a day without clean water, and we can't go a single minute without clean, breathable air. The challenges we face to protect our air quality are tremendous and they extend beyond Ontario's borders. This Earth Week, I am proud to say that we are making real and tangible progress on this front. Poor air quality is hurting Ontarians right now. Our own studies and those of the Ontario Medical Association tell us that air pollution is responsible for up to 5,800 deaths a year and almost \$10 billion in health and related costs.

But the numbers don't tell the whole story. We need to look at air pollution's impact on people. More children are developing asthma. Thousands of vulnerable seniors and people with heart conditions are losing their freedom of mobility on smog days. As summer approaches, and with it the increased risk of poor air, all of us need to remember our responsibility to the health of the people of Ontario.

Our government has updated or set new standards for 40 air pollutants, including carcinogens and toxic chemicals like chlorine, ammonia and vinyl chloride. We have regulated seven large industrial sectors to lower their emissions in a series of increasingly stringent steps. We have tightened standards to cut pollution from cars and trucks and refocused the program on the vehicles most likely to pollute. To protect our children, we have set high standards for school buses. By investing in transit, we are giving people greener options. By adding ethanol to gasoline, we are cutting emissions and supporting a new source of fuel that is cleaner, domestic and renewable. And of course, we are closing our province's coal-fired electricity generators.



No other government in the history of this province has ever contributed as much to cleaner air as we will with this single action. We will cut pollution and greenhouse gas emissions by up to 30 million tonnes a year. The Greenbelt Act, Places to Grow, and the creation of the Bob Hunter Memorial Park are helping to preserve green space and slow down urban sprawl so we can spend less time in our cars and more in our communities.

Another step in clearing Ontario's air is the challenge of transboundary air pollution. We're delivering on our promise to take on the pollution crossing our borders. In February, Ontario lent its voice to the growing chorus of jurisdictions that oppose changes to US air regulations—rules that would negatively affect our air here north of the border. We will continue to work with our neighbours to fight transboundary air pollution.

Every year during Earth Week, it is important to make our voices heard, to mobilize Ontarians and to work diligently to protect our environment.

Chaque année, durant la Semaine de la Terre, il est important de se faire entendre, de mobiliser les Ontariens et les Ontariennes, et de porter notre attention sur la protection de notre environnement.

But it is far more important to live by those words throughout the year for a cleaner, greener Ontario in the 21st century.

Bob Hunter achieved great things through acts of raw courage that few of us would attempt. We may not use the same techniques as those environmental pioneers, but the stakes are just as high now as they were then. We must never lose sight of the link between the quality of our air, water and land and the future health of our province. We must remember this both to honour the inspiring heroes who led us this far and as part of our duty to the next generation.

During the course of Earth Week, and this Saturday on Earth Day, I urge all Ontarians and every member of this House to live out this commitment—to be more aware, to care, and to act consciously for a cleaner, safer and healthier environment.

## CHILD PROTECTION

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I'm pleased to rise in the House today to talk about Ontario's leadership role in making children safer on the Internet. I was pleased to visit a Toronto school today where a new interactive tool is being used to help teach children about the dangers of the Internet. The CyberCops software gives teachers an innovative way to help kids learn to be safe online.

The Internet is part of the daily lives of many schoolchildren across Ontario. In fact, Ontario and Canada have one of the highest Internet usage rates in the world. A 2004 survey by the Media Awareness Network indicated that 94% of Canadian children are now online and 40% have their own Internet high-speed access. So more and more, our children are using the Internet to learn about their world, but at the same time many are putting them-

selves at risk. A survey of thousands of young Canadians showed that a quarter of them have been asked by people they've met online to meet face to face, and 15% of all young Internet users have met at least once an individual they first met online. In addition, half of youth in secondary schools, especially girls, say someone has made unwanted sexual comments to them online.

With so many children using the Internet, educating them and making them aware of the dangers of the Internet is a challenge. In Ontario, we're up to that challenge. Our government is fulfilling its commitment to keep our children safe. In fact, protecting children from Internet crime is one of the six key areas identified in our government's fight against crime. I'm very proud of the fact that Ontario is a Canadian and world leader in the efforts to cyberproof schoolchildren. Ontario students now have access to an innovative program called CyberCops to help educate themselves against the dangers of the Internet. The McGuinty government provided \$1 million from the victims' justice fund for the creation of CyberCops and the development of a training program for teachers. The program and its two main components were developed by LiveWires Design in collaboration with the Ontario Provincial Police's crime prevention and electronic crime section. Their collaboration has given us a valuable tool, and I thank them for their hard work.

The first component of CyberCops is called Mirror Image and deals with the issues of cyber stalking, Internet luring and child pornography. It will help counter the fact that many predators use the Internet to mask their identity and pass themselves off as teens or young adults to lure children into situations where they could be sexually abused. Mirror Image is currently being introduced to the grade 7 curriculum in Ontario.

The other component is called Air Dogs and deals with credit card fraud, software piracy and bullying. Air Dogs is going to be provided to schools in the province in the fall.

The strength of CyberCops comes from its interactive nature and the easy way children can use it. CyberCops is based on facts from actual criminal cases. The Ontario Physical and Health Education Association developed the training for teachers and manages the program for the Ministry of Education. I would like to thank the association and all of the teachers who use CyberCops for a job well done.

Combating Internet crimes against children, as I said earlier, is one of the six key areas identified in our government's fight against crime. The fight against crime will be strengthened by our Safer Communities—1,000 Officers Partnership program. Half of those 1,000 new officers will be assigned community policing duties, such as school visits and working with youth groups. The other 500 will be assigned to six priority areas, which include the fight against Internet luring and child pornography.

## 1400

Our government has invested an additional \$14 million this year to allow municipalities to hire their full complement of new officers under the Safer Commu-



ities—1,000 Officers Partnership program. In addition, we are working with our justice sector partners—the Attorney General, the OPP and the Ontario Association of Chiefs of Police—to implement a comprehensive strategy to fight Internet luring and child pornography. We have earmarked up to \$5 million in funding to support this strategy. We want to ensure that all Ontario communities and police services have the resources they need to protect our children.

Since June 2004, we have also invested \$1 million a year in additional funding to the OPP's child pornography section, Project P, to increase its capacity to fight child pornography. The additional funding allowed the OPP's child pornography section to increase its number of detectives and acquire technology and specialized training. We have taken these initiatives because we want the Internet to truly be a great learning tool—a tool free of those who prey on children.

This initiative is just one of many the McGuinty government is taking to improve opportunities for school-aged children. We are delivering on higher student achievement, higher test scores, smaller class sizes and lower dropout rates. For once, there is peace, stability and a positive environment in our schools. Older schools are being repaired, while new ones are being built. Our most successful schools are sharing their best practices, and our struggling schools and our struggling students are getting the support they need to succeed.

Our plan is working, and I'm positive that CyberCops will improve the learning environment for our children. It will keep our children safe and help them learn about the world around them safely.

**The Speaker (Hon. Michael A. Brown):** Statements by the ministry? Response?

**Mr. Frank Klees (Oak Ridges):** I'm pleased to respond to the statement made by the Minister of Community Safety and Correctional Services. I want to say at the outset that the official opposition supports the initiative announced today. Anything that can be done to ensure the safety and security of our children in this province, we will always support. I am hopeful that we will soon see the balance of the commitment made by the government back in January 2005 to establish a \$5-million program that would be a comprehensive strategy to protect our children.

I want to take this opportunity though to ask the Minister of Community Safety and Correctional Services to support me in my call to his colleague the Minister of Education to ensure not only that children are safe against luring from the Internet, but are safe within our schools. I refer to an issue that I have tabled a number of times in this House, and that is the fact that we do not have a system in this province today that ensures that teachers in our classrooms who are in fact found guilty of possessing child pornography are appropriately disciplined and removed from the teaching environment.

I read into the record a decision by the college of teachers. It involves Dale Fisher, a teacher who was also a former OSSTF activist, who was found guilty of

possessing child pornography. The result was a mere 22-month suspension.

I refer as well to one Philip Louis Roy, otherwise known as Philip Louis King, who faced seven allegations of professional misconduct related to accessing and viewing websites containing child and adult pornography on computers on school property. The panel found Mr. King's arguments in defence of his actions to be without substance and found him guilty of professional misconduct. College council requested that the panel revoke his certificates of qualification and registration, and to the shame of this province, the panel ordered King's certificates of qualification and respect administration suspended for only two years.

Will the minister join with me, join with members of the opposition, to ensure that teachers who are found guilty of viewing child pornography do not teach ever in the classrooms in this province?

## EARTH DAY

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** I'm pleased to respond to the Earth Day statement today on behalf of our leader John Tory and the Progressive Conservative caucus. This week we are celebrating Earth Week, and on April 22, I know that many of us are going to be joining people across the planet to celebrate the 37th annual Earth Day. I know that people on all sides of this House have tried to raise awareness about the need, and also about the impact that we have on the planet as we go about our daily lives. However, this is now the third Earth Day to occur on this Liberal government's watch, and I think it's important to comment on their record on the environment.

Regrettably, although they had big plans two and a half years ago, they have failed to deliver. For nearly six months now, the Ontario trucking industry has been pleading with the government to require all trucks operating in Ontario to have their engines electronically speed-limited. This change is supposed by the Ontario Trucking Association. It is supported by groups such as Pollution Probe, the Lung Association and Fleet Challenge Canada. They estimate that over 140 kilotonnes of greenhouse gas emissions would be eliminated each year if this proposal were adopted. However, the minister will not say whether or not she supports efforts to reduce truck emissions. In fact, the biggest emissions problem is gridlock and, again, this government has done little to address this problem.

This government's policy of shutting down one quarter of Ontario's power supply means that now during the hot summer months, we will be importing coal-fired power from the United States. As a free bonus, those plants will be sending their emissions into our airshed as well.

This government made an election promise to implement all of the O'Connor recommendations, but their Clean Water Act does not—

**The Speaker (Hon. Michael A. Brown):** Thank you. Responses?



**Mr. Peter Tabuns (Toronto–Danforth):** Responding to the Minister of the Environment, I should say first of all that I am pleased that the minister has mentioned Mr. Bob Hunter and honoured his memory. Bob was a friend of mine. I knew him for many years in Greenpeace. He did a lot for the environment and this world. Unfortunately, that's the end of the agreement that I can have with the minister on her statement.

The modern environmental movement came into being in the 1970s in response to nuclear power and the degradation of air and water. In this province, this government is poised to go full tilt with the development of nuclear power, a direction that's resolutely rejected by people in the environmental movement across this country, across this continent and around the world. Nuclear power has been rejected, but is being warmly embraced by the government opposite, a government that says it honours Earth Day. That is a flat contradiction. That is not an accurate statement of the direction this government is taking.

This government is going to leave a legacy for future generations down through thousands of years of poisonous nuclear waste that we should not be passing on. The core of environmental thinking is the idea that we should leave the earth in good shape for those who come after us. When you go into that nuclear box, you leave poisonous traces, poisonous legacies, to all the people who come after us. That cannot be in any way termed an environmental or green approach to energy issues.

The Minister of the Environment has talked about air quality. As the minister knows, we already have significant problems in downtown Toronto. Instead of taking the advice from the David Suzuki Foundation or the Pembina Institute and investing in energy efficiency and conservation as the core of the electrical system in this province, an approach that would dramatically reduce air pollution, this administration is going forward with the Portlands Energy Centre. That can only mean that air quality problems in the centre of the city will become far more profound. I want to say that for this government to claim that it's pro-environment, given its efforts even just in those two areas, is completely wrong.

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### CHILD PROTECTION

**Mr. Peter Kormos (Niagara Centre):** Of course we support the initiative announced today by the Solicitor General—the Minister of Community Safety. One would be silly not to. It's the sort of thing that's becoming increasingly important.

What's equally disturbing, though, is the observation that the Internet—the computer—has been accepted holus-bolus as this legitimate, essential, critical research tool, when in fact one should have concerns about its value in the academic context. Googling two or three words and pressing “send” does not constitute academic research and in my view is a relatively poor preparation for young people who are in academic arenas and want to pursue them.

I'm convinced that the prevalence of the computer and the reliance upon it has had a serious impact on real, de facto literacy—both the ability to read and, more importantly, the interest in reading and any affinity for the value of books as sources of pleasure, as sources of entertainment or, more importantly, as sources of knowledge.

I find it interesting that the concern about the abuse and misuse of computers is announced today in the context of a Legislative Assembly committee of this Legislature that is actually contemplating allowing members to keep those dastardly BlackBerries at their desks so they can e-mail back and forth and receive Lord knows what, because there's nobody to monitor what you're reading on your BlackBerry right now, Mr. Wilson. Who knows what it could be?

I say that our work here is far too important. This place is about speaking, this place is about debating, not looking at Lord knows what you're looking at on that screen right now. I'm ashamed to even look over my shoulder and observe what my colleagues might—

**The Speaker (Hon. Michael A. Brown):** Thank you.

### ORAL QUESTIONS

#### NATIVE LAND DISPUTE

**Mr. John Tory (Leader of the Opposition):** My question is to the Premier. Canadian Press describes this Ontario scene this morning: “Police helicopters roared overhead as defiant native protesters climbed atop buildings and set tires ablaze.... The angry protesters used a large dump truck and a massive tire fire to block a road leading to a housing project....”

On any other day, no subject would be too small to fill in a few minutes in the ministerial statement period, but on this one we hear nothing from you or any of your ministers. Can you give us an update on the Caledonia situation?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I know the leader of the official opposition raises an important issue and I'm sure many Ontarians will be made aware of this either during the course of the day or through the evening news. Let me at the outset provide some information with respect to the genesis of the police action itself.

There are three points I want to make in this regard. First of all, it comes after discussions to settle this matter had taken place over a five-week period. Secondly, it comes after an order sought by a private party was issued by the courts requiring the OPP to take action. Finally, and I want to be perfectly clear in this regard, this police action comes completely independent of me, my office or my government.

We were notified of the police action this morning while it was in progress, or immediately after it. That was the first indication we had that the police had in fact gone in.



**Mr. Tory:** That, of course, is as it should be. I would like to go back, though, a bit in time and refer you, Premier, to a newspaper article that was in the *Tekawennake*—the *Teky*—newspaper, in which they have recently reported that Chief Dave General of the Six Nations wrote letters to your minister responsible for aboriginal affairs and your Minister of Public Infrastructure when he first became aware of the potential confrontation in 2005. According to this article, your government has known about this conflict and the potential it represented for an explosive situation for roughly a year now, but it appears that nothing has been done until very recently. Yesterday you promised, as you should, that your government would make every effort to find a peaceful resolution to this. Now, when we have reports of massive tire fires, pepper spray, taser gun use, helicopters and fighting, can you tell us, after a year of inaction by your government, what your government's plans are to carry on with those talks that you say have been going on for some time and to achieve the peaceful resolution that you said yesterday you were committed to achieving?

**Hon. Mr. McGuinty:** I'm pleased to speak to this issue and to report that there's another meeting scheduled for tomorrow morning at 9 o'clock involving all the parties. It has been our position throughout that we should continue to talk.

What the leader of the official opposition should understand is that the individuals involved are treating the province of Ontario and our government at best as secondary players in this matter. They insist on being dealt with as a nation. They want to deal with the government of Canada on a nation-to-nation basis. In fact, there was a statement made by Janie Jamieson, the spokesman for the protesters, on *NewsWorld* today where she said, "As far as the province goes, we are a sovereign nation. We always have been. We've already established that. That's why we have a seat at the United Nations. Canada knows that. They're trying to diminish our sovereignty by making us speak with the province, and it's something we will not do."

We will continue to participate in discussions, though.

**Mr. Tory:** I would hope that the Premier's last comments quoting Ms. Jamieson don't indicate that you're going to, in any way, abdicate or withdraw from a process where you quite properly should have a role in trying to continue to achieve a peaceful resolution.

I wonder, though, because I referred you to the article that came out in 2005 and to the letters written to your ministers in 2005, whether you might comment on the fact that your government and your ministers have known about the situation for a year. The occupation itself began 51 days ago and the talks have gone on, as you said, for five weeks, but a year ago your ministers knew about this and have done clearly nothing to prevent this from happening. Now we find ourselves in a situation where you have someone saying they won't deal with you, where you have tasers and fighting and tire fires and pepper spraying and so forth. Why did your

government have this material for a year and do nothing about it? What kind of leadership is that?

**Hon. Mr. McGuinty:** I know that the minister responsible for aboriginal affairs can speak to this.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I say respectfully to the Leader of the Opposition that you are misinformed. We have had a process in place involving both the provincial government and the federal government called the exploration. This involved Chief David General, the duly elected council and all parties, negotiating and discussing the land claim issue and the accounting claim that came from that. What precipitated this protest is that one faction in that community was impatient with the progress of that process, but there has been a process involved, and Chief General—somebody I talk to on a regular basis—will tell you that he has been very pleased with the progress of those discussions.

#### ELECTRICITY SUPPLY

**Mr. John Tory (Leader of the Opposition):** My question again is to the Premier. Can you confirm for us all here in the House today that yesterday, according to Hansard, you said the following: "I think the member opposite knows that when it comes to natural gas, prices there tend to be volatile, and it remains a significant contributor to global warming. Wind turbines: We are investing heavily in those, but again, those are an expensive form of electricity and they're not reliable, because sometimes obviously the wind does not blow. When it comes to solar, those tend to be expensive as well"? That's what Hansard recorded you as having said yesterday. Can you confirm that those were your words yesterday?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** Yes, I did in fact say that. What I'm trying to do is ensure that Ontarians understand that there are no neat and tidy solutions with respect to meeting our energy challenges. There tends to be a downside connected with each and every alternative. I think it's important that Ontarians come to grips with that as we consider our long-term energy plans.

**Mr. Tory:** Well, it was only interesting that it was so recorded in Hansard—and we thought that's what we heard you say but we waited to see it in print—because it's exactly what PCs and New Democrats and experts all over the place have been saying for months now. You and your Minister of Energy have been out there boasting about a windmill here and a windmill there, claiming that they represent X megawatts of production and that they're going to solve our energy crisis and phase out cheap coal energy production. However, now, in order to justify your new-found, brand new love for nuclear power—before the public consultations have even been reported on, by the way—you are telling us that windmills are unreliable and expensive and that gas is expensive and damaging to the environment.



We want to know which it is: Are they the salvation for all of us, or are they, as you said yesterday, expensive, damaging to the environment and unreliable? Which is it?

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**Hon. Mr. McGuinty:** The Leader of the Opposition is missing the point. The point is that a responsible approach to dealing with our electricity needs will necessarily involve parts of each of those alternatives, and they all have downsides associated with them. There's no easy quick fix here. We don't have some of the advantages that Quebec and Manitoba, for example, enjoy with respect to their significant hydroelectric capacity.

We are exploiting our capacity as much as we can. We're expanding facilities at Niagara Falls. We're exploiting run-of-the-river opportunities where we find those. We are in fact going to harness wind energy, but it's not the be-all and end-all; that's the point I'm making. We're going to harness solar capacity as well, but it's not the be-all and end-all either. We're going to do what we can when it comes to conservation, but it's not the be-all and end-all either. Beyond all those things, we will have to do some more.

**Mr. Tory:** The fact is, they're only the be-all and end-all on days when you're making a ministerial statement or some other announcement about them being the be-all and end-all; otherwise, you have a million and one excuses.

The bottom line is, one day you're mum on nuclear power in Ontario and the next day you've decided it's the answer for everything—in advance, by the way, of reporting on your so-called public consultations that you had on the matter. One day you're claiming that windmills and natural gas plants represent the salvation for energy in Ontario, and the next day you're telling us they're expensive, unreliable and damaging to the environment.

You are hurting people badly in their pocketbooks, you are chasing jobs out of this province, and you are sending negative signals to investors in this province with your energy policy. Isn't it better that you stop making excuses, get up and say you're going to rethink this whole thing, and really read your own words with respect to what you are doing to energy in this province? Isn't it time?

**Hon. Mr. McGuinty:** I can tell you what does present itself as a real challenge: When the Minister of Economic Development and Trade is meeting with potential investors in other parts of the world, one of the concerns they have is how we got so far behind the eight ball when it comes to meeting our energy needs in the province of Ontario.

During the last decade of neglect, our province experienced an 8.5% increase in demand but a 6.5% decrease in supply. What we're saying to all those potential international investors is that we won't let that happen ever again. We will make the necessary decision today to ensure that we have in place a reliable supply of affordable electricity.

The Leader of the Opposition may not be able to understand this, but in order for us to do that and behave responsibly and ensure we have that reliable supply, we're going to have to look at a variety of options.

#### NATIVE LAND DISPUTE

**Mr. Gilles Bisson (Timmins–James Bay):** My question is to the Premier and it's in regard to the situation in Caledonia. Yesterday in this Legislature, you said you supported, and I quote, "a peaceful resolution." You said, "We are determined to resolve this, but we will do this in a way that results in no incident and in no compromise to public safety." Here we are, less than 24 hours later, at 5 o'clock this morning, the OPP moved to evict the protestors off that particular line.

My question is a very simple one, Premier: Can you explain the contradiction between your government's stated position in this House yesterday and what happened in Caledonia at 5 o'clock this morning?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** There is no contradiction here whatsoever. This may be a new notion to the member putting the question, but we believe in the independence of the Ontario Provincial Police. We will not direct them. They made a decision on their own, of their own accord, to act on a court order issued earlier by an Ontario court. We fully support them in that regard, but that was an action they took completely independent of us.

**Mr. Bisson:** Premier, do you condone the actions of the OPP this morning, what happened at 5 o'clock?

**Hon. Mr. McGuinty:** Just so the member opposite has a better understanding of the OPP in this regard, they issued a release on April 3, and in part, it reads as follows:

"The OPP's goal is to achieve a safe and lasting resolution to this situation by exploring all peaceful options. Those options are still being pursued.

"The OPP respects the direction of the court and as a last resort will execute the court-ordered warrants of arrest to remove the occupiers in the safest means possible."

Let me take this opportunity to congratulate the Ontario Provincial Police for their patience, their perseverance and their dedication to resolve this matter in the safest way possible.

**Mr. Bisson:** The inference is that you switched your position from yesterday, because what I heard in this House yesterday was the Premier's answer—and we applauded as New Democrats—to a question that you believed in negotiations and making sure that we found a peaceful settlement. We know that for years, the federal government—and you can't throw this all into their court—has basically absolved itself of its responsibility in some cases of being able to resolve issues.

I remind you of Kashechewan last fall. After Charlie Angus and I and the chiefs came to this Legislature, you took the correct action. You said you were not going to



allow to happen what was happening in that First Nations community, you took action, and as a result of that, the federal government moved. Why is it, in this case, yesterday, you said that you were taking a position of leadership, and today you stand behind the OPP and say, "What happens, happens"?

**Hon. Mr. McGuinty:** First of all, to restate something I said a moment ago, discussions will continue at 9 o'clock tomorrow morning involving all the parties, and we're pleased to pursue that particular avenue.

But the member should really understand what he's saying. What he's saying is that we should have directed the Ontario Provincial Police. That's what he's saying. He's saying that we should have learned ahead of time of their plans to pursue a police action and that we should have told them that they are not allowed to do that. That's what he's telling us. We disagree with that approach. We believe in the independence of the Ontario Provincial Police, and once they have acted, we support them in their action.

### NUCLEAR ENERGY

**The Speaker (Hon. Michael A. Brown):** New question. The member from Toronto—Danforth.

*Interjections.*

**Mr. Peter Tabuns (Toronto—Danforth):** Thank you. I am always pleased to have a warm reception from the government benches.

A question for the Premier. Yesterday you said nuclear power will play a major role in Ontario's energy future. As you know, New Democrats oppose new nuclear power because the history of nuclear power in Ontario is one of massive cost overruns and unresolved waste management issues. The division in the House on the nuclear issue couldn't be clearer: Liberals and Conservatives support new nuclear power, and New Democrats oppose new nuclear power. Premier, given the sad history of nuclear power in this province, why is it that, any day now you are going to commit to a \$40-billion nuclear future for Ontario?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Energy.

**Hon. Donna H. Cansfield (Minister of Energy):** I thank the member for his question. Nothing has been decided or determined on the directive at this point. We're looking forward to having some decisions in the near future. Certainly nuclear power has been a part of the history of this province. As a matter of fact, not only for the member opposite but for the leader of the official opposition, we returned Bruce A units 3 and 4 to service in November 2003-04. We also brought on Pickering A: returned to service on time and on budget. And we do have a contract with Bruce for units 1 and 2. So nuclear power is definitely very much of the supply mix in this province, and will be, long into its future.

**Mr. Tabuns:** Again for the Premier: As you know, New Democrats oppose new nuclear power plants because nuclear power plants have proven to be expensive,

unreliable, dirty and dangerous. New Democrats oppose new nuclear power because nuclear waste remains radioactive for tens of thousands of years, perhaps hundreds of thousands of years, and no reliable scientific method has been devised to eliminate the risk. Premier, if you are so confident that the issue of long-term storage of radioactive waste has been dealt with, will you give this House an ironclad guarantee that nuclear waste your plants will produce will never threaten the health of future generations?

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**Hon. Mrs. Cansfield:** Thank you very much for the question. As you know, Elizabeth Dowdeswell, from the Nuclear Waste Management Org., has for the three last years been conducting discussions with Canadians right across Canada. She tabled that report with the federal government. In that report they actually had an adaptive phase management process that they recommended. That report is now sitting on the federal government's desk, with the new Prime Minister.

I will say that the Ontario Power Authority has accumulated some \$7 billion in segregated funds as part of the Ontario nuclear funds agreement with the federal government. The money will be available when the time comes for either decommissioning the plants and/or disposal of the nuclear fuel.

**Mr. Tabuns:** Again, for the Premier: Most of the current proposals, including the one just cited, deal with highly radioactive nuclear waste by burying it underground in deep geological formations. Whether the storage containers or the surrounding rocks will offer enough protection to stop radioactivity from escaping over the long term is impossible to predict. One of the most likely sources of pollution in connection with nuclear waste disposal in rock is the contamination of groundwater.

I repeat my question to the Premier, then: If you're so confident that issues such as long-term storage have been dealt with, why don't you give us the assurance that radioactive nuclear waste will not harm future generations?

**Hon. Mrs. Cansfield:** I'm sure that Ms. Dowdeswell and her committee would be delighted to have your comments, and I encourage you to go to the federal government and give her your comments.

Certainly, I think that it's really well worth recognizing that currently 37% of our capacity is nuclear. It provides 50% of our electricity, and that is a lot of electricity to keep the lights on for the people of Ontario. It is currently a part of our fuel mix; it will be well into the future.

We do have a plan: We are going to maximize our assets, both in transmission and in generation; we are going to build new—and we have certainly proven that with renewables—and create a culture of conservation. That is the plan. The bottom line is, the lights will stay on for the people of Ontario, the businesses will continue to operate, and \$11.5 billion worth of investment has come into this province just on our new energy plan, to the year 2011.



## NATIVE LAND DISPUTE

**Mr. John Tory (Leader of the Opposition):** My question again is for the Premier. We were informed yesterday—in fact, in the days earlier this week—that quite a lot of police resources had been allocated and re-assigned to be at the ready in case something needed to take place in Caledonia. I wanted to ask you two questions in that regard. The first would be, since we knew this information, and I think others did as well, when was the first time anybody in your government knew about this operation that took place early this morning? Secondly, could you comment on the impact that this reallocation of police resources will have for some of the rural and small-town parts of the province? Because people who are reallocated to this situation are not available—

*Interjections.*

**Mr. Tory:** I know the members of the government think it's a very funny matter, but there are towns in rural parts of this province—

**The Speaker (Hon. Michael A. Brown):** Order, Minister of Health, Minister of Agriculture. I need to be able to hear the Leader of the Opposition place his question.

The Leader of the Opposition.

**Mr. Tory:** My question is, can you comment on whether or not this will have a long-standing or an anticipated long-lasting impact on the ability to police properly in other parts of the province, since substantial resources have been reallocated to deal with this situation? That's all I'm asking for. I don't know why the members of the government are so insensitive to the needs of rural Ontario.

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Community Safety and Correctional Services.

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** The Leader of the Opposition asks a couple questions, and I'm not exactly sure which one he wants me to answer, but I'll try the first one and maybe in the supplementary I'll get to the second one. His first question was, when did we find out that this was happening? I should tell you that ever since this incident arose and the occupation took place 51 days ago, I have been kept apprised of the situation, to let me know that there is a risk. Other members of the government—the Minister of Natural Resources—and federal and provincial members have been meeting to try to resolve this situation.

In all cases, you know, we hope for the best and prepare for the worst. It would be irresponsible for the OPP not to be able to make sure that, if there is a problem, they are able to respond. The question is, does that mean they've drawn off other areas? Obviously, the forces that were in Caledonia were not adequate, but they are also very cognizant of their responsibility to everybody in Ontario. They have the ability to do that, and I have all the confidence in the world that—

**The Speaker (Hon. Michael A. Brown):** Thank you, Minister. Supplementary?

**Mr. Tory:** The fact is, he asked me which one I wanted an answer to and I got an answer to neither of the questions, but never mind. Let's go back over it; I'll just review the two questions you were asked. The first one was: You said you were in constant touch. When did you know they were going to move on the operation they moved on at 5:30 this morning? And can you simply assure us? I think it's a fair question. I think people in this province—there's a major roadway that is closed. There are acts of civil disobedience taking place: pepper-spraying, tire fires, people fighting and so forth. I think we have a right to know, from the Premier of this province and from his ministers, what is going on here, going forward with respect to efforts to resolve it, and whether people can be confident that policing resources are available in all the different communities to make sure the province is well looked after as a whole—simple questions.

**Hon. Mr. Kwinter:** I answered the last question he just posed in my first response. I told you that I have confidence that the OPP—I'm satisfied that they have resources to make sure there is no impact on the rest of the province. That is part of their operations. Secondly, when did I know about it? I found out about it after the OPP had moved in to remove the protesters. That was at about 6 o'clock this morning. That was a call to me to tell me it had happened. I had no pre-knowledge that it was going to happen. It happened. It's a police operation. I have no responsibility or ability to interfere with police operations. It's an operational issue for the OPP, and they have a responsibility to the people of Ontario that is independent of this political discussion that is taking place, with the meetings that are going on to discuss land claims and everything else. They have a responsibility to provide public safety. They have to make that determination without any political interference, and that's what they did.

**The Speaker:** New question.

**Mr. Gilles Bisson (Timmins—James Bay):** To the Minister of Community Safety: It was clear yesterday in this House that your government took the position that there needed to be a peaceful resolution to this situation by way of negotiations in the House. This morning we have the OPP, who have gone off—on their own or with your knowledge; I'm not sure which—in order to stop this particular situation by way of force. My question to you is simply this: Clearly, on the record—and you partly answered this question—did you have any prior knowledge, prior to this morning, of the OPP being ordered in to that situation this morning?

**Hon. Mr. Kwinter:** I can say unequivocally that the OPP were never ordered to do anything. The OPP make decisions based on their perception of public safety. They operate as an independent police force in a democracy. It is paramount there be no political interference with police services, and that's what they do.



**Mr. Bisson:** Clearly, we're now in a different world. This particular situation—

*Interjections.*

**Mr. Bisson:** You guys can try to make fun of this all you want, but we're clearly in a different situation today. This situation has now been escalated. People in Caledonia, people across this province and the people of Six Nations want to know, what is your government going to do concretely in order to resolve this situation by way of negotiations, and not waiting for the federal government to do whatever? You, as a provincial government, have a responsibility to act. What are you going to do to work out a resolution to this situation?

**Hon. Mr. Kwinter:** Our responsibility is to maintain the peace. I can tell you this: There's a meeting taking place tomorrow morning at 9 o'clock. There have been many meetings with many individuals who are impacted by this particular situation, and I am satisfied that it's a two-pronged situation. We have to make sure that we keep the peace when we do public safety. That's the role of the police. The other issue is one of the federal government. The provincial government certainly has a role, the Six Nations have a role, and the others have a role to resolve the differences. We also have a private individual who has rights as well. He's got a court order by a provincial Superior Court that says he has the right to build his houses there, and he's been granted an injunction that the protesters have to be removed. The police have an obligation to protect the rights of citizens who have legal rights as well.

We have to make sure that we have a balance, but our main focus is to come to a peaceful resolution to this incident.

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## ENERGY CONSERVATION

**Mr. John Wilkinson (Perth-Middlesex):** My question is to the Minister of Energy. Unfortunately, for more than 15 years, energy projects were cancelled and power generation was sorely neglected in Ontario. But fortunately, we are now embarking on an ambitious plan to build new generating capacity. This unprecedented investment in energy generation will provide efficient, clean and reliable power for future generations. This investment, however, is not without cost.

Minister, citizens in my riding of Perth-Middlesex on social assistance and fixed incomes often need assistance with their energy bills. What are we doing to provide relief to these citizens?

**Hon. Donna H. Cansfield (Minister of Energy):** I'd like to thank the member from Perth-Middlesex for the question. We are doing a number of things. One of the first things we did was to give a directive to the Ontario Power Authority for 100 megawatts on the demand side management for social housing and low-income residents. As you recognize, we just rolled out that first phase; I mentioned it in the House a couple of weeks ago.

The first \$9.5 million has gone out. We're retrofitting both appliances and lighting in low-income households.

In addition to that, we will be rolling out, on behalf of low-income residents, \$100 million in the energy relief fund. That will serve almost 1.5 million people in Ontario, to help them deal with the changes in their energy costs.

We recognize that we have a responsibility and are working very closely with not only the Ontario Power Authority and the conservation bureau but also with low-income organizations such as LIEN, the Low-Income Energy Network, to see what we can do to help those folks. Hydro One in particular has put somewhere between \$3,000 and \$4,000 in each and every home that is electrically heated that qualifies, where they actually change and do retrofitting in the home, again to help low-income folks.

**Mr. Wilkinson:** Minister, I'm glad to hear that we are indeed helping the most vulnerable in Ontario with their energy bills. Citizens can also reduce their energy costs through conservation. You and I worked together on the conservation action team, and I know we believe in that together. Improvements to energy efficiency reduce power use, enhance the environment and save money. So energy conservation really is win-win-win.

Experts agree that conservation is a key component in any power-generation regime. Yet previous governments have disregarded energy conservation and cancelled energy efficiency programs. What are we doing as a government to help citizens conserve power and thus reduce their energy bills?

**Hon. Mrs. Cansfield:** First of all, I mentioned the fact that we are going to put out a coupon book for a \$500 rebate on a central air-conditioning system, a \$50 rebate on a tune-up for air conditioning and a \$75 rebate on a programmable thermostat. In particular, I'd like to speak about one of the members of my ministry, Mr. Ed Grzesik, who received a very prestigious award called the John Jenkins Award from the Canadian Standards Association. He has, for over 20 years, been involved in making a difference in the standards of appliances in this province.

We will actually be very close to being the leader, beyond California, in standards, not only in Ontario but, thanks to the good work of people like Ed, right across Canada. We all owe him a grateful round of applause, if we could do it in the House, but certainly acknowledgement for the work that he has done.

That's the kind of difference it makes, because we actually have changed air conditioning, for example, by increasing the 30% efficiency on all new air conditioners that are sold. It's due to the good works of people like Ed Grzesik and his—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

## EDUCATION FUNDING

**Mr. Frank Klees (Oak Ridges):** My question is to the Minister of Education. On Tuesday of this week I



pointed out to you that the Toronto District School Board and the Toronto Catholic District School Board have agreed and contracted with Warren Kinsella in the amount of \$100,000 to lobby you on funding issues relating to education matters. In your response, you indicated, "I worry that hard-found funding is spent on consultants." You went on in the supplementary to say, "Whether he should be doing this is up for discussion."

You have now had some opportunity to think about it, Minister. No doubt you've had that discussion as to whether Mr. Kinsella should be taking \$100,000 of education tax dollars to lobby you. Will you share with us today your conclusion? Do you believe it's appropriate or not for \$100,000 of education tax dollars to be used by the school board to lobby you?

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** Without having had the opportunity, to the member opposite, to know what kind of a contract it is, I think this member would agree that in all of the years that you were in fact part of the government, there was never such a flourishing of lobbyists around this place as under your years. I think that situation has changed significantly for one significant reason: When we became the government in 2003, I have to tell you that particularly in the area of education, we opened the doors. I think it's fair to say that even this morning at a meeting in my offices at the ministry, it was put to me that we have more partnership tables today, more working tables, more commissions, more reaching across all of the sectors of education to speak with each other and speak with the government than we have ever seen.

I would say, in the main, there is likely less need for a kind of activity that includes speaking to the government, because people are doing—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Mr. Klees:** Minister, \$100,000 of education tax dollars buys a lot of textbooks. It will meet a lot of ESL needs and it certainly will address a number of special education needs. That money is now being directed by the school board to a lobbyist who also happens to be the head of the provincial Liberal Party's campaign re-election team. Can you tell us today if you believe it is appropriate for the school board to use these education tax dollars to pay a lobbyist to lobby you? Please, just tell us, is it appropriate or not, and if it isn't, will you put a stop to it?

**Hon. Ms. Pupatello:** I think it's very important to note that this member first started speaking of Toronto school boards. I will tell you that in my first week, I've had conversations with both boards. I've had them into my office. I've had conversations with lots of boards in the last 15 days since the swearing-in ceremony down the hall. We have had lots of conversations about what the issues are.

I will tell you again that your government, to the extent that we had to create registries because of all of the lobbyists that you brought into the governmental system

when you were the government—this government is nowhere near requiring a lobbyist as yours was. There are boards that pick up the phone and call our office on a regular and daily basis. I would say that our relationship is quite excellent. If boards intend to hire consultants, it could be for innumerable reasons, some of which may be valid. There are educational consultants, there are people that work with kids. I—

**The Speaker:** Thank you, Minister. Order.

## AFFORDABLE HOUSING

**Mr. Michael Prue (Beaches–East York):** In the absence of the Minister of Municipal Affairs and Housing, my question is to the Premier. The city of Toronto has just gone through an expensive, time-consuming and controversial census of the homeless people of this city. You promised—and I'm going to go back to what you promised. Before the last election, you as a government promised to build 15,000 units of affordable housing and another 5,000 units of supportive housing, earmarking mostly those who were homeless, within your mandate, a mandate that's going to expire in a little over a year. How close are you to achieving your goal of 20,000 units of affordable housing?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I'm sure that the honourable member will understand and accept that it's been a long time since the city of Toronto has ever had such a strong champion sitting in the government benches. We are pleased and proud of the relationship that we have developed with the city of Toronto, pleased with the budgetary assistance we've been able to provide, pleased to recognize that they have a special status in the province of Ontario, and we look forward to working with them when it comes to meeting their housing needs.

1450

**Mr. Prue:** Mr. Premier, with the greatest of respect, your own government figures point out that since you came to government—and your own records and your own bureaucracy state that—you have built just 63 units of affordable housing in this province, and none of those have been in the city of Toronto. You had a \$3-billion budget revenue windfall, but there was no money for housing in your budget. On top of that, you pocketed the \$150 million from the federal government.

I know the city of Toronto, and every other municipality in this province, would rather house the homeless than simply count them. When are you going to keep your promise to build 20,000 units of affordable housing, and are you going to accomplish that within your mandate?

**Hon. Mr. McGuinty:** Just so we're clear, under our new 2005 affordable housing agreement, we have approved 33 projects, representing \$73 million in funding to fast-track over 1,500 affordable rental housing units. As well, I can tell you that under the pilot project phase, 94 projects representing \$117 million in funding were allocated to create over 5,000 units of affordable housing.



So again, the work is under way, and we look forward to completing it.

#### AUTOMOTIVE INDUSTRY

**Mr. John Milloy (Kitchener Centre):** My question is for the Minister of Economic Development and Trade. As members of this Legislature know, our government's strategic auto investments have benefited a number of communities across the province. One of these is the town of Simcoe, where a Toyota subsidiary recently announced a new investment. I know that this was an announcement of significant importance to the community, and I was wondering if the minister could inform the Legislature of the details of the project.

**Hon. Joseph Cordiano (Minister of Economic Development and Trade):** I want to thank the member for his question because it is important for the town of Simcoe. Toyotetsu, a subsidiary of Toyota, announced that it was going to be making a \$50-million investment in a plant there, which will open in 2007 and will supply Toyota in Cambridge and Woodstock.

This is the first auto investment of its kind in the town of Simcoe. It will bring high-value jobs and prosperity not only to the town of Simcoe but to Norfolk county and the surrounding area. Two hundred and fifty jobs will be created. This, yet again, shows another great shot in the arm in terms of confidence for Ontario's auto industry, and we look forward to more.

**Mr. Milloy:** That's certainly good news for south-western Ontario. As members know, the auto sector is an integral part of our economy that does employ thousands of highly skilled workers. Although it has faced some challenges of late, I know it continues to serve as one of the anchors of our province's economy, and our government has been working hard to ensure its prosperity.

I'd like to ask the minister if he could provide us with an update on the strength of the auto sector and some of the initiatives that he has been undertaking.

**Hon. Mr. Cordiano:** For the second year in a row, Ontario is the leading automotive jurisdiction in North America in terms of production, surpassing Michigan for the second year in a row.

In addition to that good news, I would also like to point out that Hino, another Toyota-related company that produces large trucks, is going to be starting up production in Ontario. That will create an additional 50 jobs, and that's just to start.

The other good news that we've heard recently is the fact that Ford at the Oakville complex is going to be producing two new models, with the possible addition of two additional models in the near future. Ford also announced that it's going to be producing hybrid vehicles for the first time in Ontario.

This is all good news for Ontario's economy and Ontario's auto sector. Since we formed the government—I don't need to say it again, but I will say it again—we have attracted almost \$6 billion of new investment in the auto sector. Things are—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

#### DRUG SYSTEM REFORM

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** My question is to the Minister of Health and Long-Term Care. Since the public has not had an opportunity to specifically respond to the recommendations contained in Bill 102, the new drug reform act, will you guarantee today that there will be an opportunity for public hearings?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** Yes. Nothing gives me greater pleasure than to continue our government's track record, which stands in stark contrast to the track record of the honourable member's party while in government; that is, on significant issues we believe, fundamentally—

**Hon. Mike Colle (Minister of Citizenship and Immigration):** They never answered my phone calls when they closed the hospitals. No hearings.

**Hon. Mr. Smitherman:** Exactly. We believe fundamentally that it's important to take important issues out to the public to give them the opportunity to comment. The drug strategy—that is, the Transparent Drug System for Patients Act—is a complex piece of legislation. Accordingly, I can commit today to public hearings, the details of which my colleague the government House leader will of course be negotiating with other parties on behalf of the government.

**Mrs. Witmer:** That certainly will be good news. One thing the stakeholders have been very concerned about was the very clandestine manner in which this drug review was undertaken and the report provided to you. It was all cloaked in secrecy. At least they will have an opportunity to respond.

We talk about public hearings. I would ask you today, when is it your intention that those would take place?

**Hon. Mr. Smitherman:** It would be presumptuous of me to speak on that point. That is obviously the responsibility of the House leaders, and the honourable member, as the deputy leader of her party, knows that well.

I do take significant issue with her use of the word "clandestine." This is really quite absurd. The reality is that the process that led to the piece of legislation and our government strategy was one that involved an unprecedented level of consultation, albeit done in a different fashion. Because much of the information is sensitive commercial information, we have obligations to treat that appropriately.

The honourable member likes to suggest that the government likes to duck accountability. This is internalized by their efforts on the Health Services Restructuring Commission. The obligation, responsibility and accountability for this initiative stand with the government. Accordingly I'm proud to say, on this government's part, that of course we commit to public hearings. That's because we do it on every piece of significant legislation.



## GASOLINE PRICES

**Mr. Gilles Bisson (Timmins–James Bay):** My question is to the Premier. You'll note that over the last number of weeks, there is increasingly more rage at the pumps as people go to fill up their vehicles. There are reports of people getting pretty angry as they go off to the pumps. Last October 17, at the general government committee, the committee announced its support of a motion we put forward, "that the committee initiate a study into the industry factors that led to gasoline price spikes in late August and September" of last year "as well as into the possible actions the Ontario government can take to protect Ontarians from similar price spikes in the future."

Under standing order 124, you've got to do that. My question is, when are you going to convene the committee so we can start our work and find some solutions to help motorists in Ontario?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Energy.

**Hon. Donna H. Cansfield (Minister of Energy):** I thank the member for the question. I have to get some more information about the particular committee and the mandate of the committee. I'd welcome it if you would provide me with that information.

Certainly there's no question that right across North America—in the United States yesterday I think it was \$4.25 a gallon for gasoline in Brooklyn—it is an issue that is affecting all of us. I think that Mr. Harper indicated not only in his pre-budget—

**Mr. Rosario Marchese (Trinity–Spadina):** What about the question?

**Hon. Mrs. Cansfield:** I asked for more information about the committee, and when I have more information, I'll be able to respond more directly.

In the interim, Mr. Harper has identified pre-election—he said he would deal with the GST if gas went over 85 cents. Then I discovered today, in reading the material, that he is actually prepared to do something about it. What is really important for you to know here is that we have doubled the rebate for a hybrid car and put our gas tax into the municipalities, where it belongs.

**Mr. Bisson:** You can try to pass this off on the federal government like everything else you do in this Legislature. All that matters to motorists is that they drive to the pumps, see the price going up and feel they are getting gouged. In the very example you talked about in New York City yesterday, people were scratching their heads when they found there was a 90-cent difference per gallon at that particular retail station within a matter of minutes. Clearly, what needs to happen is we've got to get to the bottom of how they're working the prices and gouging people at the pumps.

1500

So I'm going to help you. There's a thing called the standing orders in your desk. It talks about standing order 124. We passed a motion at the committee that basically says the committee is going to look into what happened last summer, learn the lessons from that, and make sug-

gestions to this government so that we can help motorists at the pumps this year. Are you prepared to allow the committee to start its work now, yes or no?

**Hon. Mrs. Cansfield:** There is no need for the member to be pejorative. I indicated that I would look at the issue of the committee. It wasn't necessary.

I'm trying to explain that it really is a federal responsibility. As a matter of fact, when the taxes go up, it's the feds that win \$6 million for every cent, and in fact we do not increase our taxes on gasoline; they remain the same.

I indicated that I'm quite pleased to get some information from the member, and I think he has a responsibility as well to write that letter to Mr. Harper.

## HEALTH CARE

**Mrs. Liz Sandals (Guelph–Wellington):** My question is to the Minister of Health and Long-Term Care. Minister, Ontario's health care system is constantly evolving to accommodate our growing population. I'm proud to say that the McGuinty government has made positive changes to ensure the viability of our public system.

As you know, the future success of our system depends on the creativity and drive of the people who work in it. Today, you attended the first-ever Celebrating Innovations in Health Care Expo, and I heard that it was a resounding success. Could you please explain what this expo is all about?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** It's my pleasure to do so. You know, in the province of Ontario, we believe fundamentally in our publicly funded health care system. We also believe fundamentally in the necessity for change, to renew that same system, and we've been working hard to do that.

Today, more than 2,000 people came together in the first-ever health care expo. We held it here in Toronto, but health care providers came from all over the province of Ontario, and they celebrated innovation in five distinct areas, all of which are designed to benefit our patients. For the first time, health care players, from community providers to our largest acute care hospitals, came together and celebrated the innovations that they themselves have championed, so as to ensure that they aren't just benefits that accrue to patients locally, but they can be spread across the breadth of the province of Ontario. We call it the system helping the system, and we got a good head start on that today.

I want to thank the honourable member for her question, and I want to wish her a very happy birthday.

**Mrs. Sandals:** But he didn't actually sing like he threatened to, which may be a good thing for both of us.

Minister, I'm very proud to say that the Homewood Research Institute, which is located in my riding and which is attached to the Homewood psychiatric hospital, one of our leading psychiatric hospitals and also a leading provider of long-term care, in partnership with the University of Waterloo, was awarded the award for innovative health information management. I know that



has been a big concern in my area, with the hospitals all working together to improve their health information management systems.

Since taking office in October 2003, we have been working to re-establish a health care system in Ontario that is patient-focused, integrated and sustainable. Minister, could you elaborate on how this expo fits into our larger plan for health care?

**Hon. Mr. Smitherman:** I was very proud today to have a chance to present that award for innovation in health information management to the good folks at Homewood Research and their partners at the University of Waterloo.

Four other organizations were awarded today, but importantly, 600 different organizations submitted proposals that said, "On the basis of the things we've done, we'd like to be recognized," and that was such a fantastic response.

In east Toronto, a health collaborative led by the EMS, with 15 community-based providers, was awarded for meeting community needs through integrated care; Trillium Health Centre in Mississauga and Etobicoke for improving quality and patient safety; Princess Margaret Hospital for improving efficiency through process redesign; and Cancer Care Ontario for an innovation in health human resources that sees a new role brought to health care, the nurse endoscopist. Fifty of them are being minted, and it's a crucial tool as we move forward on colorectal screening in the province of Ontario.

These are the innovations that are occurring in the publicly funded health care system. We're not for the status quo; we're for innovation. We're celebrating it, and we're spreading it across the land.

#### ASSISTANCE TO FARMERS

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** To the Minister of Agriculture and Food: As you know, grassroots farm rallies have dominated this winter. You've told the grassroots farmers to go to Ottawa. We went to Ottawa, 10,000 strong. Federal Ag Minister Strahl has bounced it back to you; the grassroots farmers have bounced it back to you. My question is, will you tell this House and will you tell the grassroots cash crop farmers what objection you would have to implementing a risk management program for the grain and oilseed sector?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I'm again happy to share with the members of this Legislature, first of all, that our government takes the crisis in the grains and oilseeds industry very seriously. We have been working with farm representatives in this province since November. We agree with them, when they've come to us with their proposal that they want a multi-year partnership with the federal government. That requires participation of the farmers, the provincial government and the federal government. I've been very clear that we are here; we are prepared to sit down and negotiate that agreement. I'm

not privy to the most recent information you present about Mr. Strahl and what he has said. But what I have been consistent in saying—I have letters to the minister that demonstrate that our province is ready to sit down with them and talk about a strategy that will meet the needs of farmers in Ontario to—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Ms. Lisa MacLeod (Nepean-Carleton):** I thought I would get much more excitement out of the front bench over there than I am.

My question is for the Minister of Agriculture and Food. I stood before this House Tuesday talking about the plight of farmers, distributors, grocers and consumers, but to no avail. The Minister of Agriculture and Food has still not addressed the concerns of Ken Ross, an independent grocer, nor has she addressed the concerns of Gib Patterson, a farmer. They are both concerned with ongoing farm protests and the lack of attention, lack of action and, apparently, lack of respect. Has this Minister of Agriculture and Food met with the food industry, or is she just prepared to? When will this government step up to the plate and begin restoring the cuts to our farmers?

**Hon. Mrs. Dombrowsky:** I'm very happy to say that I believe the relationship that our government has established with farm representatives, certainly since we've come to government, has been a very respectful one. That's not to say that we always agree, but I always have left those meetings feeling that everyone had a fair hearing.

With regard to the respect issue, I did find it interesting today—this was reported in the Toronto Sun, with respect to the federal government—that Minister Strahl has said he won't meet with farmers who have gone to Ottawa. They want to talk about the \$5 million that he claims he has set aside for them. So far, all we've heard from the federal government is talk about \$500 million that's sitting securely in the bank in Ottawa. Farmers need it in their pockets, and we want to sit down with the federal government and talk with them about our plan that will deliver it to farmers when they need it, which is right now.

#### SUBVENTIONS CULTURELLES

**Mr. Gilles Bisson (Timmins-James Bay):** My question is to the Premier, as the Minister of Culture is not able to be here.

Monsieur le premier ministre, vous allez savoir que la communauté de Hearst, depuis maintenant 10 ans, est capable de célébrer l'Écomusée, un musée qui joue un rôle important dans la vie de cette communauté envers toute l'économie faisant affaire avec l'industrie du tourisme, mais aussi pour les écoles et autres dans la région pour être capable de démontrer l'histoire locale de cette communauté.

1510

Après 10 ans, l'Écomusée va être fermé. Pourquoi? Il n'y a plus de financement qui vient de votre gouverne-



ment. Le monde de Hearst se demande si vous êtes préparé comme gouvernement—après avoir refusé pour une deuxième fois l'argent pour réparer ce musée, êtes-vous préparé à regarder de nouveau cette situation et à voir si c'est possible de mettre en place un financement stable pour que l'Écomusée puisse rester en marche les années à venir?

**L'hon. Dalton McGuinty (premier ministre, ministre de la Recherche et de l'Innovation):** Je peux vous dire que nous allons continuer à travailler avec la communauté de Hearst. Nous avons déjà établi des liens pour faire certain qu'on comprenne très bien leurs priorités. Mais je devrais dire au membre que les représentants de Hearst viennent juste de rencontrer le ministre de la Santé, et ils lui ont dit que leur priorité était de verser d'autres argents dans le domaine des soins de santé.

Nous allons continuer à travailler avec la communauté, mais vous devriez savoir qu'ils ont plusieurs priorités, et il va falloir qu'on fasse certain qu'on adresse ce qui est le plus important en commençant.

**M. Bisson:** Premièrement, je veux remercier le ministre de la Santé de sa rencontre hier avec les dirigeants de l'Hôpital Notre-Dame.

Quand je parle de la communauté, je ne parle pas de la municipalité de Hearst; je parle de la communauté. Dans la communauté de Hearst, on a un musée. Ce musée-là est indépendant. Ce n'est pas une organisation qui est gérée par la ville de Hearst. C'est un musée indépendant qui a son propre bureau d'administration et qui dessert la population régionale quand ça vient à être capable de démontrer l'histoire de la ville de Hearst et de ses citoyens.

La question qu'on vous demande est celle-ci : le financement, il n'y en a plus. C'est fini. Ça fait deux fois qu'ils ont été refusés par votre gouvernement d'avoir des fonds pour continuer l'opération du musée de Hearst. On vous demande, de la part de la communauté, est-ce que vous êtes préparé à regarder vous-même ce dossier pour voir ce qui peut être fait pour assurer la survie du musée Écomusée de Hearst?

**Hon. Mr. McGuinty:** To the minister responsible for francophone affairs.

**L'hon. Madeleine Meilleur (ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones):** Ça me fait plaisir de répondre à cette question. Oui, l'Écomusée de Hearst recevait de l'argent de la Fondation Trillium. Comme vous le savez, la Fondation Trillium—le maximum c'est de trois ans. Alors, ils ont terminé leurs fonds, leur subvention.

Il y a deux Écomusées qui sont dans la même situation. Il y en a un dans mon comté, l'Écomusée de Vanier. On travaille avec la communauté. Il y a beaucoup plus de demande pour les subventions des musées au ministère de la Culture. Alors, on travaille avec la communauté. On sait qu'il y a beaucoup de musées qui ne sont pas subventionnés.

C'est bien sûr qu'avec les augmentations dans les budgets futurs, on pourra aider les musées comme le musée de Hearst. Le musée de Hearst fait un travail

exceptionnel et c'est très important pour la communauté. J'en profite pour les féliciter de—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

## BORDER SECURITY

**Mr. Lou Rinaldi (Northumberland):** My question is to the Minister of Tourism. Mr. Minister, today's press says that Premier McGuinty criticized the federal government saying that they have no plans to create an alternative Canadian document to the passport. It is my understanding that the Premier, in fact, took issue with Minister Stockwell Day throwing in the towel in terms of convincing the US government to accept a reasonable alternative to the passport for Americans returning to their own country. Could you please clarify the government's stand on this issue?

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** It's an excellent and timely question. What we in Ontario have been trying to persuade all concerned about is that we think there should be an alternative developed to the passport requirement that the United States is talking about at this particular time.

It's interesting because, as the Premier said yesterday, this is not an issue of Canada against the United States, and my friends from Niagara and other border areas would understand this. This is where we in the border areas are saying, "Let's develop a different alternative. Let's try to postpone the implementation of the passport provision. Let's develop an alternative that we can all agree upon." The state of Michigan has suggested enhancing the security on drivers' licences and other documents that we would normally have.

We are prepared as a province to continue to fight for that particular position. We would certainly welcome the support of all federal ministers and the Prime Minister in that fight on behalf of the tourism business right across the border between Ontario and the States.

## PETITIONS

### LONG-TERM CARE

**Mr. Jim Wilson (Simcoe-Grey):** I want to thank Jack Cronin, who's a family member at Bay Haven Nursing Home in Collingwood, for sending me this petition.

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I agree with and I've signed this petition.

## COMMUNITY MEDIATION

**Mr. Bob Delaney (Mississauga West):** I have a petition to the Ontario Legislative Assembly, submitted by some of the clients of Inter-Cultural Neighbourhood Social Services, and I'd like to thank Sukhwinder Grewal for having collected some signatures. It reads as follows:

"Whereas many types of civil disputes may be resolved through community mediation delivered by trained mediators, who are volunteers who work with the parties in the dispute; and

"Whereas Inter-Cultural Neighbourhood Social Services has established the Peel Community Mediation Service in 1999 with support from the government of Ontario through the Trillium Foundation, the Rotary Club of Mississauga West and the United Way of Peel, and has proven the viability and success of community mediation; and

"Whereas the city of Mississauga and the town of Caledon have endorsed the Peel Community Mediation Service, and law enforcement bodies refer many cases to the Peel Community Mediation Service as an alternative to a court dispute; and

"Whereas court facilities and court time are both scarce and expensive, the cost of community mediation is very small and the extra expense incurred for lack of community mediation in Peel would therefore be much greater than the ... annual cost of funding community mediation;

"Be it therefore resolved that the government of Ontario, through the Ministry of the Attorney General, support and fund the ongoing service delivery of the Peel Community Mediation Service through Inter-Cultural Neighbourhood Social Services."

I agree with this petition and I'm pleased to affix my signature to it and to ask page Mercedes to carry it for me and thank our pages for their hard work.

## GASOLINE PRICES

**Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford):** I have a petition to the Legislative Assembly of Ontario which reads as follows:

"Whereas the price of gas is reaching historic price levels; and

"Whereas provincial and federal governments have done nothing to protect consumers from high gas prices; and

"Whereas provincial tax on gas is 14 cents per litre and federal tax is 10 cents per litre, plus 8% GST; and

"Whereas these taxes have a detrimental impact on the economy and are unfair to commuters who rely on vehicles to travel to work; and

"Whereas the province has the power to set the price of gas and has taken responsibility for energy prices in other areas, such as hydro and natural gas; and

"Whereas we call on the province to remove the 14.7-cents-per-litre gas tax and on the federal government to

eliminate the 10-cent gas tax, plus 8% GST, which amounts to 30% or more of the price;

"We, the undersigned, petition the Legislative Assembly of Ontario and urge the Premier to take action and to also persuade the federal government to remove its gas taxes."

I support the petition and affix my signature.

## IDENTITY THEFT

**Mr. Tony Ruprecht (Davenport):** I have a petition from the Consumer Federation of Canada. It reads as follows:

"To the Parliament of Ontario and to the Minister of Government Services:

"Whereas identity theft is the fastest-growing crime in North America;

"Whereas confidential and private information is being stolen on a regular basis, affecting ... thousands of people;

"Whereas the cost of this crime exceeds billions of dollars;

"Whereas countless hours are wasted to restore one's good credit rating;

"Therefore we, the undersigned, demand that Bill 38, which passed the second reading unanimously in the Ontario Legislature on December 8, 2005, be brought before committee and that the following issues be included for consideration and debate:

"(1) All consumer reports should be provided in a truncated (masked-out) form, protecting our vital private information, such as SIN and loan account numbers.

"(2) Should a consumer reporting agency discover that there has been an unlawful disclosure of consumer information, the agency should immediately inform the affected consumer.

"(3) The consumer reporting agency shall only report credit-inquiry records resulting from actual applications for credit or increase of credit, except in a report given to the consumer.

"(4) The consumer reporting agency shall investigate disputed information within 30 days and correct, supplement or automatically delete any information found unconfirmed, incomplete or inaccurate."

Speaker, I agree with this petition 100%, and I'm delighted to provide it to you.

1520

## SUPPORTIVE HOUSING

**Mrs. Julia Munro (York North):** "To the Legislative Assembly of Ontario:

"Whereas thousands of vulnerable adults live in domiciliary hostels that provide them a warm, secure, stable and friendly environment which allows them to lead fulfilling lives; and

"Whereas the alternative for many of these individuals is a life of homelessness on the street; and



"Whereas domiciliary hostels have had only a single 3% increase since 1999, which in no way matches the rising costs they face; and

"Whereas the Liberal government promised Ontario in the election they would significantly increase supportive housing options for those suffering from mental illness;

"Therefore we, the undersigned, call on the government to bring an immediate increase in the provincial portion of funding to domiciliary hostels throughout Ontario."

As I am in agreement, I have affixed my signature, and Meghan is going to deliver it for me.

### BORDER SECURITY

**Mr. John Wilkinson (Perth-Middlesex):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the United States government, through the western hemisphere travel initiative, is proposing that American citizens require a passport or single-purpose travel card to travel back and forth across the Canadian border; and

"Whereas a passport or single-purpose travel card would be an added expense, and the inconvenience of having to apply for and carry a new document would be a barrier to many visitors;"—including those to the Stratford Festival—"and

"Whereas this will mean the loss of up to 3.5 million US visitors in Ontario, losses of \$700 million, and the loss of 7,000 jobs,"—many in my own riding—"in the Ontario tourism industry by the end of 2008; and

"Whereas many of the northern border states in the United States have expressed similar concerns regarding the substantial economic impact of the implementation of this plan; and

"Whereas the safe and efficient movement of people across the border is vital to the economies of both of our countries;

"Therefore, be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario to support the establishment of a bi-national group to consider alternatives to the proposed border requirements and inform Prime Minister Harper that his decision not to pursue this issue with the United States is ill-advised."

I affix my name to this petition and give it to Mark, our page.

### ORGAN DONATION

**Mr. Frank Klees (Oak Ridges):** I have a number of petitions here addressed to the Legislative Assembly of Ontario. I appreciate Solette Gelberg submitting a number of these. I'm going to read them to members. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas 1,920 Ontarians are currently on a waiting list for an organ transplant; and

"Whereas the number of Ontarians waiting for an organ transplant has virtually doubled since 1994; and

"Whereas hundreds die every year waiting for an organ transplant; and

"Whereas greater public education and awareness will increase the number of people who sign their organ donor cards and increase the availability of organ transplants for Ontarians; and

"Whereas the private member's bill proposed by Oak Ridges MPP Frank Klees will require every resident 16 years of age and older to complete an organ donation question when applying for or renewing a driver's licence or provincial health card, thereby increasing public awareness of the importance of organ donation while respecting the right of every person to make a personal decision regarding the important issue of organ donation;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 67, the Organ and Tissue Donation Mandatory Declaration Act, 2006."

Given that that is my private member's bill, I'm pleased to affix my signature.

### CHILD CARE

**Mr. Mario Sergio (York West):** I have an additional petition addressed to the Legislative Assembly of Ontario, which reads as follows:

"Whereas the people of Ontario expect the government of Canada to honour existing agreements with the government of Ontario;

"Whereas provinces and territories negotiated agreements with the federal government to ensure Canadians would have access to early learning and child care programs that are high quality, affordable, universally inclusive and developmental;

"Whereas parents in Ontario have demonstrated a high demand for greater access to high-quality early learning and child care programs;

"Whereas Ontario's early learning and child care agreement with the government of Canada would provide Ontario families with at least 25,000 new high-quality, regulated child care spaces in the first three years;

"Whereas Ontario's early learning and child care agreement represents a \$1.9-billion investment over five years in high-quality early learning and child care;

"We, the undersigned, petition the Legislative Assembly of Ontario to support the government of Ontario in calling on the government of Canada to honour Ontario's early learning and child care agreement, for the sake of the thousands of Ontario families who would benefit from it."

It is signed by a number of petitioners. I concur, and I will affix my signature to it.

### CONVENIENCE STORES

**Mrs. Christine Elliott (Whitby-Ajax):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Ontario Korean Businessmen's Association (OKBA) represents 3,000 family-owned and -operated small convenience store businesses across

Ontario who are being driven out of business by the McGuinty government; and

"Whereas the McGuinty government has hurt OKBA members by hiking WSIB rates, hiking commercial hydro rates, and dumping the high costs of implementing Bill 164 on these small family-run businesses;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Convenience stores are the last family-run businesses in every neighbourhood throughout Ontario and are in urgent need of both compensation and help from the government to allow replacement categories for tobacco products."

I'm pleased to affix my signature in support.

### SOCIAL SERVICES FUNDING

**Mr. Tim Peterson (Mississauga South):** I have a petition for the House.

"Whereas the population of the region of Peel has been experiencing significant growth for the past 15 years and now has the second-highest growth rate in the province;

"Whereas demand for social services in Peel has exploded as a result of the population and other social changes;

"Whereas provincial social services funding has not responded to the increases in population, and therefore the people of the region of Peel receive 50% less funding on a per capita basis than the average provincial per capita funding for social programs;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Community and Social Services and the Ministry of Children and Youth Services correct the funding inequity in all of their social programs with new funding formulas that address population and needs."

I am pleased to affix my signature to this petition.

### LONG-TERM CARE

**Mr. Norm Miller (Parry Sound–Muskoka):** I have a petition from Lakeland Long Term Care facility in the Parry Sound area, and it's to the Legislative Assembly of Ontario. It says:

"We, the undersigned, who are members of family councils, residents' councils and ... supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I support this petition.

**Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge):** I have a petition to the Legislative Assembly of Ontario.

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging

seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I'm sending the petition down with page Meghan.

### ACCESS TO HEALTH CARE

**Mr. Tony Ruprecht (Davenport):** I have a petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the people of Ontario deserve a universal, high-quality public health care system; and

"Whereas numerous studies have shown that the best health care is that which is delivered close to home; and

"Whereas the McGuinty government is working"—and the Minister of Health, I might add—"to increase Ontarians' access to family doctors through the introduction of family health teams that allow doctors to serve their communities more effectively; and

"Whereas the McGuinty government has fulfilled its promise to create new family health teams to bring more doctors to more Ontario families;

"We, the unsigned, petition the Legislative Assembly of Ontario to support the McGuinty government's efforts to improve access to family doctors through innovative programs like family health teams."

I support this petition and I'm willing to sign it.

1530

### VISITORS

**Mr. Kevin Daniel Flynn (Oakville):** On a point of order, Mr. Speaker: Could I just take this opportunity to introduce the students from St. Joseph's School in Oakville to the members of the House. Former page Jeremy is here, as well as a class from the province of Quebec who are twinned with this class.

### BUSINESS OF THE HOUSE

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):**



Pursuant to standing order 55, I'd like to rise to give the Legislature the business of the House for next week.

On Monday, April 24, in the afternoon, second reading of Bill 51, the Planning and Conservation Land Statute Law Amendment Act; in the evening, second reading of Bill 56, the Emergency Management Statute Law Amendment Act and second reading of Bill 11, the Provincial Parks and Conservation Reserves Act.

On Tuesday, April 25, in the afternoon, second reading of Bill 102, the Transparent Drug System for Patients Act; in the evening, second reading of Bill 81, the Budget Measures Act, 2006.

On Wednesday, April 26, in the afternoon, second reading of Bill 52, the Education Statute Law Amendment Act (Learning to Age 18); in the evening, second reading of Bill 51, the Planning and Conservation Land Statute Law Amendment Act.

On Thursday, April 27, 2006, in the afternoon, second reading of Bill 41, the Securities Transfer Act.

## ORDERS OF THE DAY

### TRANSPARENT DRUG SYSTEM FOR PATIENTS ACT, 2006

### LOI DE 2006 SUR UN RÉGIME DE MÉDICAMENTS TRANSPARENT POUR LES PATIENTS

Mr. Smitherman moved second reading of the following bill:

Bill 102, An Act to amend the Drug Interchangeability and Dispensing Fee Act and the Ontario Drug Benefit Act / Projet de loi 102, Loi modifiant la Loi sur l'interchangeabilité des médicaments et les honoraires de préparation et la Loi sur le régime de médicaments de l'Ontario.

**The Acting Speaker (Mr. Joseph N. Tascona):** Mr. Smitherman has the floor.

**Hon. George Smitherman (Minister of Health and Long-Term Care):** It's a tremendous privilege for me to have a chance today to kick off debate on this very important piece of legislation. To do so, I'd like to say from the get-go that I'll be splitting my time with the honourable member from Mississauga South, the parliamentary assistant to the Minister of Health, my colleague Tim Peterson, who is here already.

I was very pleased in the Legislature today, in response to a question from the health critic for the opposition party, to respond to the request for public hearings. I think the member knew the answer to the question, because our government is one that always commits itself to public hearings on important pieces of legislation, and of course this will be no different.

We're proud to take to the people of Ontario the Transparent Drug System for Patients Act, because this is

a \$3.4-billion expenditure line which provides a crucial benefit to many Ontarians.

This bill is the cornerstone of our government's plan to reform Ontario's drug system—and make no mistake, reform is necessary. Our drug system needs to be made more efficient, more transparent, more accountable. We need to change it into a system that patients can understand, because it's very cloudy right now. This will contribute an essential element of the public health care system, and that is trust. We have to gain the confidence and enhance the trust of those we endeavour to serve. Make no doubt about it, an increasing number of Ontarians are relying upon us, are calling upon us to ensure that our drug programs, which provide so much benefit, enhance the quality of life that they seek to enjoy. At the same time, it's important that we take appropriate action to ensure its sustainability.

We're motivated, as a government, by the desire, not just to make sure that medicare is something that works well for those who depend upon it today but for those young people, as an example, who join us in the gallery today—who might have a greater call upon it in the future than they do today—to know that our system of medicare, which has provided so much benefit to our province, will be there for them. This legislation will help us to achieve that.

Reforms are essential, but it's also essential that we provide stability and continuity for patients who are receiving benefits. Here's a point I want to repeat that is essential: While we have more than two million people who are benefiting from Ontario drug benefits—senior citizens, those on welfare and the Ontario disability support program—as a result of the initiatives that are offered, I say in response to the member from Brant, "What happens to them?", there will be no change to current benefits associated with this, not to co-payments, not to deductibles and not to eligibility.

We do seek, however, to provide for our patients a system that works better for them, is more transparent and is more responsive to the opportunity to provide more innovative drugs. We're also very keen to make sure that those taxpayers, one of the largest volume purchasers of pharmaceutical product known to humankind, get benefit for the volumes we purchase. The adage that we know and learn from retail—the answer to the simple question—How do we do it? Volume. Accordingly, we say that it's appropriate that the province of Ontario gain appropriate costing from those providers, recognizing that we are a high-volume purchaser.

The name of this bill suggests that our reforms were designed to make the entire drug system more patient-friendly and, as I said before, more transparent. We can operate good programs, but if they are so confusing to people trying to look in from the outside, then I think that's a very strong point that needs to be addressed.

Let me make clear that our government is introducing a comprehensive package of reforms with respect to Ontario's drug system: legislative reforms, policy reforms and regulatory changes. This bill, the Trans-



parent Drug System for Patients Act, is a key part of the package of reforms, and I want to focus today in my comments on very specific elements of this bill. I want to highlight some of the key parts of this bill.

Part I of the Transparent Drug System for Patients Act makes amendments to the Drug Interchangeability and Dispensing Fee Act. These amendments will bring about a number of changes, including expanding the definition of interchangeability. Interchangeability of drugs has always been a common practice in Ontario, and these changes will allow for more generic drugs to be substituted for brand drugs. Generic drugs are equally effective and less expensive.

It's very important to give credit where credit is due. We saw in the most recent negotiation between the CAW and the Big Three, very important players in Ontario, the number one manufacturer of automobiles in North America, that we have competitive employment opportunities, that we have a cost basis which is competitive. In their recent agreement, the Big Three negotiated with the Canadian Auto Workers a generics-first policy. This piece of legislation makes that the law in the province of Ontario and, frankly, builds on the leadership opportunity that was provided to us by these two very important groups.

Amendments to the Drug Interchangeability and Dispensing Fee Act will also outlaw the practice of chain drugstores cutting deals with generic manufacturers for backdoor rebates in exchange for shelf space. The reality is, when we investigated the circumstances related to this \$3.4-billion file, we did find that we're paying an awful lot, especially for some of the activity in the middle. Between the manufacturing point and the point at which the patient received the product, a considerable degree of mark-up and the like had occurred. We have an obligation on behalf of taxpayers to achieve very good pricing for the volumes of product that we're purchasing. Accordingly, we're moving to outlaw the practices of these special rebates. This rebate scheme costs taxpayers untold millions of dollars and adds no benefit to the system, and we're putting an end to it.

Part of the package of reforms also includes proposed changes to regulations concerning what is known as off-formulary interchangeability. This is further good news for patients and it's good news for those who pay for their drugs out of pocket and for employers. This initiative is designed to save at least \$30 million for employers and those who pay for their own pharmaceutical product out of their pocket—\$30-million savings just on that element alone.

Part II of the Transparent Drug System for Patients Act makes amendments to the Ontario Drug Benefit Act. Our amendments create a new position of executive officer of the Ontario public drug programs. This doesn't sound too exciting, perhaps, at front measure, and maybe that's why, as I started to speak about it, the galleries began to empty. Nevertheless, one of the big challenges we face—and we've all experienced frustration around this—is that the drug approvals process in Ontario is

very, very slow. It's not good enough. I say this forcefully, because I believe it fundamentally.

1540

Accordingly, we're going to move forward in a fashion that takes a tremendous amount of power that cabinet has typically reserved for itself and transfers that appropriately to an executive officer who is given the opportunity, the power and the authority to make important decisions in a much more timely way. If your mom is waiting for a decision on whether a new product is going to be listed on the Ontario drug formulary, then government has an obligation to get an answer to your mom very, very quickly.

It will not be the circumstance, as I've said so clearly, that we can afford to put every product on our drug formulary. There will be cases when the benefit associated with a new product is not in keeping with our capacity to pay for it. In other words, sometimes the products that are put on offer, offer very marginal benefit for a tremendous increase in cost. Nevertheless, our fundamental obligation is to a timely response, to telling mom, who may be waiting on a decision, what the answer is. We have an obligation to communicate in a timely way, and we have an obligation to communicate in a fashion that is clear.

I must say, with respect, that I understand well the frustration people experience because our drug system at the moment is not transparent. This information is not communicated to people in as clear a fashion as we have an obligation to provide. That's why I'm very, very proud that we will propose to give the executive officer the authority to establish rules, criteria and procedures that a manufacturer must follow in submitting a request for changes to the drug benefit price, as well as the power to enforce drug benefit prices. The effect of this is clear: It will allow the province to achieve better drug pricing and the more timely processes I spoke about a moment ago.

I want to say one thing in response to my critic from the official opposition. I don't mean to be too partisan, but the honourable member was part of a government that had the Health Services Restructuring Commission process. It is well known that the effects of it have been felt in a variety of communities around Ontario—some more positive than others, I would say. But the reality was that the government at that time delegated considerable of its responsibilities to this Health Services Restructuring Commission and then attempted to hide behind it. This has been internalized by the honourable member herself, the longest-serving Minister of Health in the past government. She has decided to advance the argument that the government is attempting to duck accountability by creating the capacity for a chief executive officer to respond in a timely way.

**Mr. Ted Chudleigh (Halton):** On a point of order, Mr. Speaker: I know that the minister doesn't want to be too critical of the government, but I wonder if there is a quorum present to hear his wonderful speech today.

**The Acting Speaker:** Is there a quorum present?



**The Deputy Clerk (Ms. Deborah Deller):** A quorum is not present, Speaker.

**The Acting Speaker:** Call in the members.

*The Acting Speaker ordered the bells rung.*

**The Deputy Clerk:** A quorum is present, Speaker.

**The Acting Speaker:** The Chair recognizes the minister.

**Hon. Mr. Smitherman:** The point I really want to make is this: Already in the province of Ontario, as the official opposition health critic would know well because she was Minister of Health for around three years, there is a general manager of OHIP. The general manager of OHIP operates on a very similar basis, and in a much larger program, to what we propose for the chief executive officer of the drug programs, fundamentally because government processes like cabinet approval are not designed to meet the rigour and the tests associated with those who await an answer that must be timely.

Accordingly I say this, and I'll say it proudly: There is no misunderstanding on the part of our government but that we are the accountable party as relates to health care in the province of Ontario. No doubt, when you have thousands of different health care providers and front-line health care providers numbering 250,000 or 300,000, there are a bunch of people who are involved in doing the work. We recognize that at the point of an election, as an example, the people of the province of Ontario will consider health care as one of those baskets of services they expect the province to deliver well. Accordingly, I think that this message track that the honourable member is on really is misplaced.

I want to draw members' attention to section 6 of the bill. This section sets out principles recognized in the Ontario Drug Benefit Act. These principles include a commitment to a public drug system that "aims to meet the needs of Ontarians, as consumers and taxpayers"; "aims to involve consumers and patients in a meaningful way"; "aims to operate transparently to the extent possible for all persons with an interest in the system"; "aims to ... achieve value for money and ensure the best use of resources at every level of the system"; and makes funding decisions for drugs "on the best clinical and economic evidence available" that "will be openly communicated."

I really ask people to absorb the values associated with those pieces of language and especially to focus on one of them: "aims to involve consumers and patients in a meaningful way." One of the most positive responses that we saw on the introduction of our package of reforms last week was from patient groups and consumer groups, for the first time being invited in to be participants in the process, not just with a view towards taking advantage of transparency, but the meaningful engagement of patients and of consumers, something that has been long lacking. We're seeking to democratize the way that we do business as it relates to this drug program.

It's obviously a complex piece of legislation, but our goals, as you can see, are very clear. At the foremost, we decide that in a package like this it's appropriate to

determine that there will be only one group that can be characterized as winners, and that group is our patients. But they win in many ways, because this legislation, if passed, will benefit from a system that operates more efficiently, that for the first time permits both patient and citizen input, and that provides better drugs faster. This is a very, very crucial.

But patients also win because of other changes. Pharmacists will at long last be allowed to play a greater role in health care, and we saw a very positive response from the Ontario Pharmacists' Association on this point, because for the first time we're proposing to compensate pharmacists for the work they do across the counter and in the aisleway, assisting patients to achieve better health outcomes. Pharmacists are inordinately well educated. They have a vast capacity to influence health outcomes in the province, to be seen more appropriately as an important part of the front-line health defence of the patients in Ontario, and we're moving forward to acknowledge their value and their contribution and to take better advantage, frankly, of the opportunity that they offer.

I make this commitment to the pharmacists of Ontario: I recognize that there are issues about the sustainability, about the economics of pharmacy, and I made the commitment already to the leadership of the Ontario Pharmacists' Association that we will be their partner in working to make sure that we have robust, vibrant pharmacy in this province. I understand fundamentally that in many rural areas which are served by a small number of pharmacies, we have a particular obligation to ensure that the economics of pharmacy remain vital, so that the vital service they can provide will be very well cared for.

Drug manufacturers also win, with a new, faster, more transparent approval process, allowing them to bring products to the market more quickly.

But really the winner in this circumstance is the patient. As I said a moment ago, we're looking to being a bigger marketplace. Everybody has an expectation, of course, that drug costs are going to continue to rise, and at quite a clip as well. Let's face it: They've been rising at something like 12% to 14% over a period of the last number of years. But at the same time, here in Ontario we seek to be a jurisdiction that creates the capacity for those products which are truly innovative to find their way to market much more quickly. The advantage of a product must be determined more quickly, the decision made more quickly, so that benefits can be provided in a much more timely way, and this is what we have on offer for those pharmaceutical companies which have long since expressed frustration with the slow nature of the Ontario approval process.

**1550**

Patients are winners as well, because doctors are being freed of an incredible burden of paperwork associated with a section 8 process that is going to go away: 150,000 pieces of detailed paper filled out by doctors last year in Ontario, time taken away from the precious



provision of patient care. It will be relegated to the dustbin, and no more will we ask our doctors to slug it out with paperwork. Instead, we seek to dedicate as much of their time as possible to the most important work they do, and that is the interface with Ontario's patients.

I'm sure I don't need to remind anybody that when you spend \$3.4 billion on a program, you've got to recognize this is the taxpayers' money. Accordingly, we have an obligation to ensure we get good value for that money. Our drug strategy has a number of components, and I know that it's challenging to gain a thorough understanding of the strategy, at least at first blush. Nonetheless, I want to urge all members to do all they can to learn as much as they can about this package of reforms. We'll be very, very open to assisting members with detailed briefing. My parliamentary assistant, Tim Peterson, who is taking leadership on this file, stands at the ready to assist any members of the Ontario Legislature to gain additional information about how this is intended to work, because we recognize that the reforms here are complex. But they are essential reforms for the people of Ontario.

Obviously, any time you have a significant package, it would be very easy to take out of context one piece here or one piece there. But to do so would fail to recognize that this is a package which has been designed to be balanced, a package that has been designed from the get-go to be a winner for patients and, frankly, to challenge everybody to do a little better for those patients. We have an obligation on behalf of the patients in Ontario to deliver that, and I'm very proud that the Transparent Drug System for Patients Act will be an important step forward on an issue that is long overdue. Previous governments spent some time around a table with stakeholder after stakeholder. Nothing came of their initiatives.

We had tremendous leadership from Helen Stevenson and Brent Fraser. I want to thank them publicly and on the record of this Legislature for the work that they've done. More than 350 distinct groups were involved, many of them many, many times, in giving us ideas and reaction to ideas that we had and can see elements of their very own suggestions embedded in the initiative that has been brought forward to this Legislature.

Mr. Speaker, I want to close by saying thank you to you and to all members of the Legislature for your consideration of this important piece of legislation.

I want to say just one last word, and it is to the patients of Ontario. We spend, on a per capita basis, just about as much as anybody in the whole land for the drug system, and yet we know that in very many ways its lack of clarity, its slowness, has caused confusion and frustration for citizens in this province. The piece of legislation that comes before us today, if passed by this Legislature, will benefit those patients greatly. We cannot in health care promise that every new service or product that becomes available can instantly be funded. But that does not transplant the obligation that we have to provide that information in a transparent way.

It seems to me that we can do a better job of responding more quickly to opportunities for truly innovative products, and in any of those circumstances when a product is not to be funded, it is our duty and our obligation to tell the Ontario taxpayers why, and to tell them so very clearly. The Transparent Drug System for Patients Act will do just that, and accordingly I'd like to offer it to members and encourage their support. Thank you so very much.

**Mr. Tim Peterson (Mississauga South):** It's my pleasure to follow up on behalf of the Minister of Health and follow the minister in this wonderful presentation of Bill 102.

This is very important legislation as part of our government's approach to make all government better-managed and more responsive to the public, but in so doing to include all aspects of the industry and make them feel part of the process.

This program could be called the right drug for the right person at the right price. Obviously, that will cause consternation amongst the people who are already members of this industry, including the big pharma and the big generics, as there will be an interchange between their drugs at different prices. But we've had terrifically open consultations, just this morning, hosted by Astra-Zeneca president Mr. Mike Cloutier. We met with the industry for over two hours, listening to all their concerns as we go forward to make this a more competitive and a more valid drug system for the people of Ontario.

It's interesting to note the great contribution that the drug companies have made in Ontario. A lot of them attended the bioconvention in Chicago last week. Ontario is blessed with a highly competitive brand name pharmaceutical industry. They provide 8,750 highly skilled jobs for Ontario, and they were involved in over \$482 billion of research in 2004. We want to continue to encourage that private sector, the brand name pharmaceutical industries, and increase their investment through Research and Innovation Ontario because of the high-quality jobs and the international competitiveness these jobs have in the world. Not only do we provide a drug market for them, we also provide an excellent base for them to manufacture and to export worldwide.

In Ontario there has been a long history of innovation with these large pharmas: from breakthroughs in insulin to pacemakers, to the first cobalt bomb for cancer treatments. We've had world-class researchers in stem cells, cancer, cardiology, biomaterials, medical devices and bioproducts. Leading research and innovation structuring is also done in our government through 11 regional innovation networks. The state-of-the-art MaRS facility just a block from here is a \$70-million investment in a world-class facility to encourage 22 top health research institutes. We also have our centres of excellence.

But we also have a great contribution in Ontario from the generic companies. While the brand name industry employees 8,750 people in Ontario, the generic companies are also great contributors. I include in those companies Apotex, Genpharm, Cangene and ratiopharm, who



have made large contributions and are large employers in this area.

Being from Mississauga South—many of you know that Mississauga north along the 410 is called Pill Hill, because of the great number of Canadian head offices that are there and the great research and laboratories that are resident there. These make a great contribution to our society, not only for the high wages and earnings but for the innovative mentality they bring to Ontario.

As we go forward, many people in the business community are obviously upset by change. They're confused by change and they want to be part of the change process. When we talked to them, many of them said, "People have said for 20 years that the drug program in Ontario is not fair, it's not reasonable and it's not being properly managed. Who will change it? Who will do something about it?"

Today we have Bill 102, which is undertaking the great changes. There have been many questions asked about what types of changes those will be. All of those changes will be consistent with the Canadian patent laws that control drugs. But it will also give faster access for the public to the generics that replace some of those, so that we can have the benefit of lower prices on the Ontario drug benefit program. The Ontario drug benefit program is about \$3 billion, and yet it only satisfies a portion of the drug needs of Ontario, so it's obviously a very large, extensive market. This program affects approximately 4% to 5% of the total annual budget of this government.

Many people have asked, "Was this an open process?" I am pleased to say that we are very proud of the terrific consultation that Brent Fraser and Helen Stevenson did. The opposition said that this was cloaked in secrecy; let me assure them that it was not. Over 100 meetings were conducted with over 350 stakeholders, including patient groups, drug companies, pharmacies and health care professionals, and they received written documents from another 100 companies.

1600

Many organizations continue to have repeated opportunities to meet with staff and present their perspectives. As part of this ongoing program, we're asking for partnership agreements with many of the drug companies. Many of the drug companies have said, "You can save a lot of money by introducing our drug because of the health care costs it will save you. If these patients don't have to go into your expensive hospitals, if they don't have to go into your expensive health care system because they can be treated with drugs, you will save a lot of money." In talking to them about that, that sounded extremely reasonable to us, yet the documentary evidence was not there to substantiate the claims in a way that we could make sense on either side of it—either the drug companies or ourselves. As part of our partnership in going forward with the drug companies, we are asking them to work with us to document that, so we can make that an ongoing part of the better administration, better servicing, better delivery of drugs in Ontario.

Another aspect of the new bill is an executive officer. People are nervous about this position. What types of powers will he have? What will his role be?

**Ms. Kathleen O. Wynne (Don Valley West):** Or she.

**Mr. Peterson:** Or she, excuse me—absolutely. Thank you.

The question is, how will the executive officer position be recruited and does it fit within the Ministry of Health and Long-Term Care's organizational structure? The position will be recruited through an executive search process. It is essential that the candidate have strong management skills to help us negotiate agreements with manufacturers, and it would be important that that person also have expertise in drugs. The position will be appointed by the Lieutenant Governor in Council and will report to the Deputy Minister of Health and Long-Term Care. Support will be required to negotiate agreements, to deal with stakeholders. This person will need to work closely with the ministry's assistant deputy ministers. This type of reporting structure is similar to the general manager position of the Ontario health insurance plan and has components of the chief medical officer of health position.

The responsibilities will include administering the Ontario drug programs, including oversight of claims processing and payments to pharmacists and pharmacies. It's interesting to note, as part of this drug reform, that when a price was agreed to by ODP, people could actually submit their claims on drugs at higher prices than were agreed to. The government's only recourse in so doing was to discontinue that drug. You can imagine if you were a patient being treated and all of a sudden, for no other reason, you found out your drug was discontinued. Under the new management, we are going to be able to sit down and work with the pharmacy companies to say, "If you have to increase that price, why? What are the benefits? You can't just put it through and we can't discontinue it." It will force dialogue and transparency, all those things which will benefit patients and the efficiency of the system.

Further responsibilities of the executive officer will be maintaining and publishing of the drug list; also designating products as listed benefits and delisting or modifying benefits as required; and designating generic products as interchangeable with brand products and delisting or modifying the designations as required. Establishing agreements with manufacturers will also be part of this responsibility as to the price and the benefits of that price.

The executive officer position has been described as a drug czar. Will this person be an unelected, unaccountable official answering only to the ministry's political staff? He will not be an elected official, and he may or may not be a public servant, but the executive officer will be responsible to the Minister of Health and Long-Term Care and to the deputy minister, who is the most senior public servant in the ministry. The executive officer will also operate within a framework that ensures transparency and accountability to the public.



Many have asked how our drug prices are currently set in Canada. There's much confusion over this. Are our prices internationally competitive? Are we paying less or are we paying more? Is our current pricing system actually a subsidy for drug companies to establish themselves here?

Often in the debate, we've heard some drug companies say, "Well, if you force me to cut my prices in Canada, why would I have investment in Canada?" That's kind of like saying, "If you don't sell your car for the maximum price, why would you put your car manufacturing company in Ontario?" We have proven, by working with manufacturers, that we can be the largest base for car manufacturing in the world and have competitive car pricing, as we can and we wish to in the pharma industry. There's no reason that they cannot be separated and the long-term capital plans of drug companies cannot be separated from the short-term selling prices, because if we are going to subsidize manufacturing, should it not be done separately and independently of the marketplace?

What types of agreements can this medical officer—so the question you have to ask is, will patients have improved access to medications as a result of this executive officer position being created? The patient will have faster access to drugs through a variety of means. In the past, drugs without the required evidence of clinical or cost-effectiveness would not have been funded or would have been funded very restrictively. We are proposing a conditional listing approach to make these sorts of drugs available for a time while the information is collected. For breakthrough drugs, it is recommended that a process be implemented to parallel Health Canada's review so the funding decision can be made right after Health Canada's approval.

Many of the drug companies indicate that their approval process is between six and 12 months. For a breakthrough drug, a doctor does not like to even get involved with it because of the amount of paperwork required and the process that often patients do not get the benefit of the best, fastest breakthrough drug, because the doctor doesn't have the time to handle all the paperwork. So in making this system more efficient to the patient for drug approval and faster breakthrough drugs, it may make it more friendly to the doctors, and by making it faster for the drug companies, we see benefits, we see a shared responsibility, we see the shared benefit, and we see a better drug system for all.

Thank you very much. It's a pleasure to be part of second reading of this bill. We look forward to further consultations with all parts of the industry as we move forward to make this a wonderful bill and a wonderful new program for Ontario.

**The Acting Speaker:** Questions and comments?

**Mr. Chudleigh:** This bill is an interesting one, in that it talks a good talk. If it delivered what it talks about delivering, it would be a good bill for people in Ontario. However, there are a lot of question marks around how this bill came to be, how it came to this House.

It came to this House really clothed in secrecy. The government appointed Helen Stevenson to lead an organization called the system secretariat to conduct a review on Ontario's drug system. This appointment was done in absolute secrecy. No one knew about it. Ms. Stevenson did a report which has never seen the light of day. No one understands what is in this report. Some of the members opposite are looking at me. I suspect they haven't seen the report either. But this report claims to have consulted broadly with the industry—and perhaps they did; perhaps they didn't—but no one seems to know who they consulted with. No one seems to understand that there's a cloak of secrecy here. So I'm not sure whether this bill, clothed in secrecy, is going to make a lot of sense.

One of the things it's going to do, purportedly, is reduce the cost of brand name drugs. Well, not long ago I read in the newspapers that US citizens were pouring across the border to buy cheaper brand name drugs in Ontario and, indeed, all across Canada. So brand name drugs are cheaper in Canada than they are in the United States, and yet this government is going to reduce them further, destroying the ability of these companies to do research into the next generation of these drugs. There are a lot of questions surrounding this bill.

1610

**Mr. Peter Tabuns (Toronto–Danforth):** A question for the government: I note in the notes that were produced for us, produced for the media about this bill, that a patient committee was going to be struck that would be advising this new chief officer, a citizens' council. I don't see this in the legislation. I'm new here and perhaps I've missed it, but can you tell me where in the legislation this is set up and how that's going to be structured?

**The Acting Speaker:** Do you wish to continue?

*Interjections.*

**Mr. Tabuns:** Oh, you have to keep going. Is there a particular reason, Mr. Speaker, that in questions and comments I can't ask a question and have it answered?

**The Acting Speaker:** This is part of debate. You get two minutes, and it's up to you to use it.

**Ms. Wynne:** The response comes at the end.

**Mr. Tabuns:** It comes at the end, eh? Thank you, Kathleen. I appreciate it.

Well, I will say then that in going through the material before us, it's very clear that large sections of what is going to actually transpire won't come before this House. In fact, what we have in the legislation seems to be very bare bones. We will see when the regulations come out what, in fact, actually is going to be done. There are some elements here that we can debate. There are some things that we will discuss later today. But, in fact, until the regulations come out, neither we here in this House nor the general public will actually know what the government is going to do. I think that's highly problematic. The legislation should have been far more comprehensive so that we would know how you're setting up these councils.

You say the chief officer will report to the assistant deputy minister. I may be wrong, I may have missed it,



but I don't see it in the legislation. So exactly who this person will report to and how that chain of parliamentary accountability will exist is not clear from what you've got before us today.

**Mr. Kevin Daniel Flynn (Oakville):** It's a pleasure to join the debate on Bill 102 this afternoon in the House.

I've got a background in small business. I think any time you bring that type of approach to your work in the political realm, you love to see a private sector discipline applied to some of the work we do here. I think Bill 102 a perfect example of that. It underlines the importance of the pharmaceutical business to the province of Ontario. It talks about the types of jobs that it brings to the province of Ontario—well-paying jobs. It talks about an investment in research and development that we know is a good thing for our economy.

I'm very proud of one particular company in Oakville. Their name is ALTANA Pharma Canada. They're a very strong success story. They rose from a company that started in the basement in the home of their founder, John Suk, and just recently they were listed as one of our country's top 100 employers by Maclean's magazine.

We know how important it is to our economy that we have a strong pharmaceutical industry. We need to provide a good balance between a good business climate for those businesses for research and development and pharmaceutical production, but we also have a responsibility to the people of Ontario we represent, and on behalf of the people of Ontario, it's incumbent upon us as a government to be a smart consumer ourselves and use the purchasing power of \$3.5 billion that is spent annually in the province on the purchase of drugs.

What we need to do as a government is ensure that we're getting the best value possible for the tax dollar. I believe that Bill 102 goes a long way towards providing that balance that allows for a quick and effective drug approval process and also provides the sort of value we need if we're going to have a sustainable health care system in the province of Ontario—all positive things for the people of Ontario.

**Mr. Tim Hudak (Erie-Lincoln):** I enjoyed the comments by the minister and his parliamentary assistant with respect to Bill 102. I know my colleague from Oak Ridges will be addressing this legislation momentarily, and I look forward to his comments.

The member for Halton hit the nail on the head in several instances about where this bill came from and some concerns that we in the opposition have about the degree of consultation, or lack thereof, and the lack of public consultation. So before we take the minister or the McGuinty government at their word, we want to have a fair opportunity at committee to ask questions.

My colleague from Toronto-Danforth has asked some questions as part of questions and comments. I hope that the parliamentary assistant will have a chance to respond. I think the questions were with respect to the role of the drug czar and whether the drug czar would report to the House, would report to the ministry, or simply is accountable to the cabinet—who exactly the drug czar

would be accountable to. I hope the parliamentary assistant might have the chance to respond to that. I echo my colleague from Danforth's concerns in that respect.

He had another question too, which was—

**Interjection:** The citizens' council.

**Mr. Hudak:** The citizens' council. I thought that was an excellent question that my colleague asked during questions and comments. I hope that we'll also have a response from the parliamentary assistant as to where that is in the legislation and how the citizens' council would be constructed. I think our colleague said it right: We often will use the "comments" part, but it's rare to actually have questions responded to. I know my colleague from Mississauga has worked very hard on this file and enjoys participating in the debate. Hopefully, we will have some responses from the government side to those important questions from members opposite.

**Mr. Frank Klees (Oak Ridges):** He can respond to it now.

**Mr. Hudak:** Yes, as part of his two-minute response.

**The Acting Speaker:** Response? The Chair recognizes the member from Mississauga South.

**Mr. Peterson:** Mr. Speaker, is this the wrap-up?

**The Acting Speaker:** The two-minute response.

**Mr. Peterson:** I'm more than pleased to respond to the member from Toronto-Danforth and his questions. Let me say that we welcome his questions and we welcome a chance to make the answers public.

The total role of the executive officer isn't completely defined, but at this point in time, he will be reporting to the minister and to the deputy minister. We look forward to his input if he has any ideas on how this role could best be defined.

He asked about the citizens' council, and there will be a citizens' council. This will be one of the first times we have a citizens' council, and to that council will be appointed patients who will play a role in the administration of drugs in Ontario. We believe that we're the first jurisdiction to look at this approach to better drug administration, so that we can actually hear the war stories, the horror stories and the problems that certain people have had.

Let me assure the member that this morning I spent two hours listening to 50 different stakeholders, mainly big pharma, who have major concerns. Any businesses do when there is a major change in how business is done. There were 80 people representing about 50 big pharma firms. We sat and talked to them with Helen Stevenson and Brent Fraser for two hours, going through all their detailed questions so that they could get a better understanding, because we know that change creates fear, and fear is unsettling to industry. We don't want to unsettle the great contribution that these companies have made in Ontario. We want to make sure we maintain that, because we are a world leader in many areas here.

**The Acting Speaker:** Further debate?

**Mr. Klees:** Mr. Speaker, I would like to ask for unanimous consent for us to defer our one-hour leadoff. I will continue debate subject to that.



**The Acting Speaker:** Is there unanimous consent? Agreed? Thank you.

The Chair recognizes the member from Oak Ridges.

1620

**Mr. Klees:** I'm pleased to participate in the debate on Bill 102, which is interestingly named the Transparent Drug System for Patients Act, 2006. As is so very typical of this government, what you see is not necessarily what you get. That's why we in the official opposition are very concerned when we see the title of this bill, with the first term being transparency, and yet there is so very much missing in this legislation that would actually represent the substance of the intent of the bill.

We're told by the minister and by members of this government, "Wait. You'll see. It's in the regulations," and that's always concerning. If in fact there is to be transparency in the drug system in Ontario, as the minister projects, then why isn't that transparency reflected in the legislation as well? Why would members of this Legislature, as we're debating the issue, not be privy to these questions, as, for example, the member from Danforth put forward? The response, of course, from the parliamentary assistant was, "Well, we don't know yet. That is yet to be determined."

It's interesting that the minister would come to the Legislature with a major piece of reform legislation, as he characterizes it, yet something as straightforward as the role of this drug czar for Ontario has yet to be defined. What have they been doing? Why doesn't the government know? Why don't you know what in fact this citizens' committee is going to do?

Should we have concern? Yes. That's the role of the official opposition: to question, to challenge what the government is doing. Unfortunately, there's a whole lot here that we do not understand about this bill. There's a lot of hope put forward, and we welcome that. I think all of us know that the current system needs reform. There is a better way of doing things. There must be; there should be. Our concern is that the way that this government has conducted itself with regard to this legislation has certainly not been transparent, it certainly has not been forthcoming, and a lot of decisions are made in the back-room without consultations.

The parliamentary assistant tells the House this afternoon that he had a meeting this morning with representatives from the large pharma companies. Interesting: He has this meeting after the legislation is introduced, is in the process of being debated, and now he's having these meetings. He's having these meetings with a cornerstone of the industry.

The member from Oakville—you would recognize him if you saw him—in his comments earlier made reference to the fact that he likes to look at legislation through the eyes of a small businessperson and that the principles of small business and entrepreneurialism—I assume that's what he was referring to—should be reflected more in the things that we do in this place. Well, I don't disagree with him; I agree with him. If we applied more business

principles to how we conduct business, we would, I think, be doing a much better job.

It's interesting he says that, because he referred to investment. Yes, and there's some \$360 million of investment that the large pharmaceutical companies invested in Ontario last year alone in terms of research, in terms of development. He talks about the importance of those businesses to the Ontario marketplace, but we hear from those very businesses that invested that \$360 million, "You keep going down this road and we're leaving Ontario. We won't be investing that kind of research money in this province anymore if, in fact, you do what this legislation indicates you're going to do." It doesn't matter how large the company is. Even the largest of companies, the multi-million- and multi-billion-dollar companies, need to know that there's a return on the investment they make in this province. That's what's of concern to a lot of pharmaceutical companies who are looking at this legislation and at this government with a great deal of trepidation.

So it'll be interesting to see whether, in the meeting that they had this morning, they've been heard and if their concerns are being taken to heart. If so, how will that be reflected then in this legislation? We look forward to seeing what kind of amendments may well be coming forward from the government. Certainly, we intend to provide some to the government so that we can ensure that this important industry is in fact protected.

The minister spoke at length about the importance of making drugs more accessible, more affordable. Who wouldn't support that? It's extremely important that we ensure that patients in this province have the appropriate drugs, that they are affordable, whether it be on a direct pay or whether it be through the government program.

My observation has been, as I've heard the minister again this afternoon in the House speak about what this means to Ontario patients, that the perception is there—and I hope it's the reality as well but we'll have to wait to see—that many of the patients in this province have been waiting and calling on this government to approve drugs—very important drugs that are life-saving drugs, such as Velcade and Erbitux—and other treatments.

We have had people in the galleries here at Queen's Park appealing to the minister and the Premier, who, while they were seeking election in this province, made the commitment that if they were the government—if Mr. McGuinty was the Premier, if Mr. Smitherman was the health minister—they would provide these life-saving drugs; for example, for Fabry patients.

The Minister of Health went to the extent of writing a personal note to a Fabry patient here in Ontario, saying, "Without question, this will be provided." You know, it's been two and a half years; that individual died, and Fabry patients in this province still don't have that kind of support. What the minister is suggesting is that drugs like that will receive approval, will be available, and will ensure that people with these diseases will be able to have optimism. We'll wait and see. I hope that's the case, and if it is, then we will applaud. I will be the first one to



applaud the minister and the government for the steps that they're taking.

One of the concerns that we have with this bill is, again, what is not specifically said, but it deals with the interchangeability provision. I'm going to ask the parliamentary assistant to respond to this question: Does the interchangeability mechanism that they have in mind mean that when a patient is prescribed a drug, it will then be up to the pharmacist, in the opinion of the pharmacist at the point of sale, to exercise that interchangeability? In other words, if the brand name drug is prescribed by the physician, does the pharmacist then at the point of sale have the ability to exchange that drug for a less expensive drug that may well save the government significant dollars, and perhaps the patient as well, but may not have the efficacy of that brand name drug?

I'll give you one example, and speak to the parliamentary assistant and ask him to perhaps do a bit of research on this. It relates to a drug called Coumadin. The reason I have some personal knowledge of this is that my father was on that drug. It's a drug that many heart patients are on for many years. My father went through this experience, and that's why I bring it to your attention, parliamentary assistant, because it's very significant. The drug was changed to another drug, which apparently was to do the same thing, have the same effect. It was another, generic drug in its place; less expensive. My father went through agony as a result of the change of that drug. It wasn't until the doctor went through what we call a section 8 and applied for that Coumadin drug to be continued that my father recovered. You see, just because it is a generic drug, and just because in the minds of some there may well be the chemical semblance of that drug, there will be differences and a different effect on different patients. So what we look to the government to do is to ensure, in cases like that, that patients are protected, that it's not just about dollars and cents and that we look the one step beyond and ensure that patients truly are protected.

1630

The other aspect I want to address is with regard to the approval of drugs in this province. I sat on Management Board of Cabinet, and at Management Board we often dealt with this challenging issue of the escalating cost of drugs, so I'm the first one to empathize with the government that this is a cost centre that in many ways seems to be out of control. We have to somehow get our arms around this and work with the industry to ensure that we can provide the best coverage possible, but do it in an efficient way and an affordable way.

One of the concerns that I had as I saw this system developing is the length of time that it took for drugs to be approved. People die in that process. It seemed to me to be such an overburdened, bureaucratic process. At the end of the day, here's what I appealed to our own government at the time to consider doing, and they didn't. This minister, this government, is opening up this issue, and I'm asking them to consider it. That is, I don't believe that the approval of a drug into a formulary

should be a political decision. What role is there for a politician sitting in judgement about whether a drug is approved or not? That, in my opinion, should be an absolutely arm's-length decision made by people who understand the efficacy of drugs, the role and the importance of drugs, their effectiveness. That's where the decision should be.

But here is the issue: The reason that politicians get in the way of that process is because it comes down to money. That's what it comes down to. It's not a matter of, is the drug effective, is the drug safe? Those decisions are made—in fact, here's what I was hoping this legislation would do, and that is, get rid of the duplication in the approvals process, because we already have a drug approval process that is at the federal level in this country. The question I ask is, why do we have to have an additional process for each province? If, in fact, the experts approve a drug for use in Canada, why is that not good enough for Ontario? Then it simply becomes a transparent matter. This is where the transparency comes in. If the government of Ontario does not want to put that drug into the formulary because they don't want to pay for it, well, that's something else again. Then at least it's purely a political decision. Then the Minister of Health, when he's asked why the drug for Fabry disease is not being covered by the province of Ontario, he can stand in his place and, with all honesty, say, "Because we can't afford it," instead of giving us the kind of doublespeak that we've been getting in this place for two and a half years about how somehow it hasn't been proven safe, and it hasn't gone through this drug approval committee and this process, which we all know is in many ways simply a way for the government of the day to put another body between themselves and provide some cover.

I'm going to challenge the minister and ask him and this government to be true to the title of this legislation. Make it transparent. If you do that, as I say, I'm certainly prepared to applaud them for taking those steps.

We have another concern about this bill. I want to put it to you that there seems to be a double agenda here in terms of how the government has dealt with the pharmaceutical industry. It's either intentional, which I hope it's not, or it is an indication perhaps of some disorganization behind the scenes. On the one hand, the Premier made a commitment to the pharmaceutical industry that he would work with them. In fact he encouraged them to go to work and come forward to him with proposals that would help deal with some of the cost pressures, the process and the burdensome way in which business is being done in this province around the entire pharmaceutical issue. They went away, they had their meetings, and with all good intentions felt that the Premier was sincere in asking them for their advice. Lo and behold, before that group could get back to the Premier, the Minister of Health introduced this very bill. What does that say? What does that say to the industry? What does that say to the public about how this government conducts its business?



We're hopeful that somehow through this framework the government will at least be open to amendments that will ensure that we can have the transparency the government is pretending through the title of this bill. We are hopeful that this government will deliver on what the perception is today; that many of these life-saving drugs that are not available now to people in the province will be made available; that through some of the structural changes that are being anticipated there will in fact be a much more efficient way of dealing with drug approvals; and that at the end of the day it will be more affordable.

In closing, I will say that I support one component of the bill as it is put forward, and that is the additional funding that is being put forward into the pharmacy level of the industry. It's been far too long since the dispensing fees have been dealt with by government in this province. I believe the work that is being done by our pharmacists on the front line deserves and should be rightfully recognized for the value added that they bring to the table. Their advice to their customers is extremely important. They are professionals. With regard to the intention that is being put forward in this legislation, that pharmacists across this province will be recognized for their good work, I have no hesitation in supporting that proposed initiative.

We look forward to working with the government. As no doubt we will see a number of amendments being proposed by the opposition, we hope the government will be open to those.

1640

**The Acting Speaker (Mr. Kevin Daniel Flynn):** Questions and comments?

**Mr. Peter Fonseca (Mississauga East):** It's great to see a refreshing new face in the Speaker's chair, the great member for Oakville, MPP Kevin Flynn.

I have to commend the Minister of Health for Bill 102, the Transparent Drug System for Patients Act, because in my riding we have all stakeholders: We have big pharma, both brands and generics; AstraZeneca is in our riding; Novo Nordisk; Genzyme; Baxter; Biogen. We also have many pharmacies, physicians and patients.

Having spoken to all of them, here's what they say: The Ontario drug system is too slow, too archaic, too cumbersome. This is what we want to fix.

An example is, we'll have patients come into my office and tell me about what they have to go through today when they go to their physician's office and a drug is not on the Ontario drug formulary and they need this drug. They have to fill out a section 8. Talking to the good doctor from Bramalea-Gore-Malton-Springdale, Dr. Kuldip Kular, MPP for that area, he has told me it takes on average at least 30 minutes to fill out one of these section 8s. After that, the patient will wait weeks before they get the drug that they desperately need.

This system has to be fixed. Bill 102 will bring many measures to fixing a system that, as I said, is archaic. It is something that we all should applaud. It's long overdue. This government came in on a mandate to change—changes that will make our Ontario work much better for

the people who reside here. This is one of the changes that I know, from knocking on the doors in Mississauga East and speaking to my constituents, they want to see happen.

We're also working with the pharmacists, and they're a great resource in our community. This bill will allow them to be able to share their knowledge with the community.

**Mr. Chudleigh:** As the member from—

**Mr. Klees:** Oak Ridges.

**Mr. Chudleigh:** —Oak Ridges pointed out—I knew you knew where you were from. As the member from Oak Ridges pointed out, the pharmacists in our communities are a very integral part of our health care system, and recognizing their needs is important.

However, in putting pressure on some of their other incomes, on the incomes of drugstores and their ability to compete, especially in remote northern communities where some of the consequences of this bill may well put economic pressure, financial pressure, on smaller drugstores in remote communities, they may find themselves hard-pressed to survive. So I would suggest to the government that this be looked at in this bill, and perhaps an amendment can be made for remote communities, particularly in northern and eastern Ontario, where a pharmacy in a small town may be the only source of drugs for miles and miles and miles around. So it would be important to recognize that fact.

The member from Oak Ridges also pointed out that the major drug manufacturers are going to be under some pressure as to where they are going to find the resources to continue their research into the next generation of drugs. It's a very important aspect of the drug manufacturing business. Pills, medicines, are very, very small. They are very, very light in weight. They literally ship all over the world air freight, and the transportation is not a significant impact on the cost of the drug. So if we want to maintain a local industry, it's important to keep these in mind and to keep that local community profitable.

**Mr. Tabuns:** The more I read this act, the less I see. That worries me. I'll address that at greater length when it's time for my main comments, but as I go through the list of things that are going to happen in this province to make the world better for patients, to make the medical system more responsive to people's needs, I find less and less in the actual legislation, and I find that quite strange.

There is a comment here in the material that was put out by the Minister of Health, talking about improved conditional listing, exceptional access mechanism. When I go through this legislation—now, I will confess I'm new here—I don't see a mechanism set out in here that's going to be different from the existing mechanism. Power is being transferred from the minister to this new executive who will be running the drug system. His powers to accelerate approval for drugs will be regulated, as I've read here, by regulations already in place, regulations that guide and shape the response of the minister today. So frankly, I have to ask myself, if in fact the regulations remain the same, if the framework within which this



executive officer will be making decisions remains the same, if this executive officer could have been a staff person at the Ministry of Health and could have said to the minister, "Minister, you have a problem here. You have to act. Here are the regulations you act within. Take this step," that could be done today. We don't have to go through these legislative changes or these publicity changes.

I think, again, until we see all of the package, we here in this Legislature are going to have a great deal of difficulty assessing what's really on the table.

**Mr. Peterson:** It's nice to have a chance to respond to the member from Danforth and the member from Oak Ridges. Let me say that I'm more than pleased to personally offer my guarantee that we will give support and openness and clarity to this as it moves forward, and I'd be happy to do that both in the House and outside of the House.

To the member from Oak Ridges, you and I probably have a little more in common than I would have thought, and that is that my father was also on Coumadin. As he may or may not know, Coumadin is actually a blood thinner that was used for rodent control. I used to enjoy teasing my father about that, although maybe it's not so appropriate to tease his father about it.

In response to his serious questions, however, let me say that we are not going to be approving all drugs at all prices, because it would just bankrupt the system, and one of the great economic benefits of doing business in Ontario is the quality and cost of our health care system. I think also people are profoundly impressed from a management point of view that we are taking great care in managing that and maintaining the efficacy and the effectiveness of it. This legislation is part of that.

In terms of providing new drugs, there are three ways it can be done. There will be a rapid review. Once Health Canada approves a drug as safe, we will be able to give access to breakthrough drugs that are being reviewed. The executive officer position will also allow for the faster listing of drugs. Approvals will no longer have to go to cabinet and will no longer take 180 days. There will also be a conditional listing, which will improve access to drugs by enabling the listing of drugs under certain conditions while awaiting further evidence.

As part of this, we'll be working very closely with the drug companies in a transparent and open way—

**The Acting Speaker (Mr. Joseph N. Tascona):** It's time for a response. The Chair recognizes the member from Oak Ridges.

**Mr. Klees:** I want to thank the members who provided their comments. To the parliamentary assistant, my question with regard to Coumadin was indeed very serious.

I would also, in conclusion, just say that the economic impacts of this bill can in fact be very significant. Some 30,000 people are employed by the major drug companies in this province, with significant dollars involved in terms of research and innovation. My concern is that the government be very sensitive to the impact that this legislation can have if it does not indeed listen very

carefully and make whatever amendments are necessary to the direction in which they're headed.

I am concerned. We will be watching very carefully, as the official opposition, as this debate continues, as the committee considers the bill. We will be watching very carefully as the regulations come forward to provide some meat on what are very thin bones here in this legislation. We have a responsibility to protect patients. Yes, government has a responsibility to do its business efficiently, but we cannot compromise the efficacy of our drug system in this province. We have to guard against that very carefully. We will put the government on notice that this bill, notwithstanding its title, must in fact be transparent, and it must serve the people of Ontario well. We look forward to ensuring that that happens.

1650

**The Acting Speaker:** Further debate?

**Mr. Tabuns:** First, I have to ask for unanimous consent of the House to stand down our lead today.

**The Acting Speaker:** Is there unanimous consent? Thank you. That's granted.

The Chair recognizes the member from Toronto-Danforth.

**Mr. Tabuns:** I'm pleased to respond to the Minister of Health today. As you are well aware, New Democrats are committed to a comprehensive system of public health care in this province. We know that Ontario needs to rein in skyrocketing drug costs and get tough on those who are gouging the system, those who aim to make a profit rather than improve patients' health. We know that Ontario patients deserve an independent and truly transparent process for drug reviews so they can be assured access to the drugs they need when they need them. But it is not at all clear to me that what has been presented to this House today is actually going to address those needs.

There are a number of red flags that are raised by the legislation that has been put before us. The Liberals say that they want to replace an opaque and unfair process for drug reviews, but the new model that we see before us—to the extent that there's clarity, and unfortunately, there's not a lot of clarity—involves Liberal appointees and drug companies working in partnership to make key decisions about drug policy in this province. These partnership agreements, these competitive agreements, could mean much more privatization and commercialization of our public health system. That is not wanted by people in this province.

I know that there are people in this House who support the idea of public-private partnerships for the provision of hospitals. The experience in Ontario is that we spend tens of millions, hundreds of millions of dollars more in simply providing infrastructure because of these public-private setups. They've been called alternative financing mechanisms—I think that's the latest way of styling these things—but in fact, we are putting out hundreds of millions of dollars more for financing than we should be. We should be putting that money into patient care, not into financing of hospitals. That model, which seems to



penetrate a central part of the thinking of this government, has a tremendous opportunity here to flower in a different form, to divert more money into the private sector and away from patient care.

In the United Kingdom, their national health system is under siege financially. A few months ago, the Economist, published in the UK, not noted as a particularly left-wing publication, did a study on why the National Health Service in the UK was facing profound financial crisis. One of the things that they called for was an end to these public-private partnerships, because they bleed money off the system. They bleed money off the system continuously. That means that money is not available for patients.

We know that patients need the care. Patients with Fabry disease who are waiting for enzyme-replacement therapy or those with cancer who are waiting for Velcade or Avastin have no way of knowing whether the package that's been put before this House today is going to benefit them or not, because the system that's put forward, the documents that we've been given, are still opaque, complex and confusing for the average Ontarian.

We know that in all major enterprises where you're completely shifting the way that we deal with \$3.5 billion worth of spending, there is going to be an awful lot of detail, but that detail is not before us. Until it's before us, it's going to be very difficult for those of us in this House and people in the larger community, people in the medical community, to say that what we have before us is going to address the problems the Minister of Health has said will be addressed. That is entirely unclear.

When you look at the background documents that the Minister of Health brought forward when he made this announcement at the George Morris Centre on the other side of the street and a fair bit down, it sounded wonderful. There were people there, patient advocates, standing up and saying, "We're glad that the minister is moving forward." But a number of them said as well, "The devil's in the details, and the details aren't here for us to see." We expected that when we got here to the House, we would be seeing those details, yet they're not there.

I'll give you some examples. In the documents that were handed out in the press conference held by the minister, he talks about an innovation fund. There may be another piece of legislation coming, but there's no mention in here of an innovation fund that will be set up, that will be administered, that will be providing the sorts of support that the minister said would be provided to those who develop new drugs. It may be that I'm new. Maybe I'm missing something in this legislation, but it's not there.

The committee to evaluate drugs is supposed to have two patient representatives. I have to say, when I was at the presentation, when people spoke from the AIDS community, they said, "At last our needs are going to be recognized. Our voices will be heard. We will be able to have direct input into this whole approach to providing drugs." But I don't see that in this legislation. Similarly,

the citizens' council to provide advice to the government: Does that show up? It doesn't.

So what we have is a beginning of an approach to dealing with drug issues in this province, but not in fact what was promised; not in fact what we'd been told would be here. I find it quite extraordinary that the minister would bring forward something that I would say is half-baked if it was done, but it's not even cooked; it hasn't even been put in the oven. This minister needs to listen to the people of this House, the people of this province, and flesh out what's before us. There will be, I imagine, substantial activity proposing revisions to this act because, without a lot more meat, we will not know what we're getting. What we will get is an approach that will allow the cabinet to write as many regulations as they want to shape a program that could be vastly different from the announcements that were made.

My experiences in the last while with some announcements by this government were shaped by the Portlands Energy Centre in my riding. When that was presented, it was presented as a power plant that would be the largest solar power generator in Canada. It was going to be covered with solar panels. It was going to be environmentally clean because it would provide steam or hot water to the downtown so that the energy that was used, the gas that was burned, would be at an extremely high rate of efficiency. That's not what we've got. What we've got is a plant where all the solar panels have been stripped off and where the term "cogeneration-ready" is used. In fact, there is no real plan to go forward and sell any of the surplus heat. All that heat's going to be dumped into Lake Ontario. So I ask myself, given that record, given that experience, how can I think that this bare-bones legislation that comes before us is actually going to be fleshed out, as has been described in the material that was given to the press? I don't have that confidence.

I think it's a good thing that governments take on the question of drug plans. We spend \$3.5 billion and we should be able to negotiate a deal for the taxpayers in this province that will make sense. But one of the other concerns that I have with this legislation is that it reflects a larger approach to the issue of health that is incomplete, fractured, atomized.

**1700**

We know, in this province, that there are hundreds of thousands of people who are dependent on ODSP, the Ontario disability support program. They are finding it very difficult to live. Many of them are eating very poorly. We know there's a direct correlation between proper nutrition and good health. There is study after study that has been put out. Dennis Raphael, a professor here in Toronto, has done a lot of studies correlating the relationship between poverty and early mortality. There's a much stronger correlation between poverty and early mortality than many other factors. If you don't eat well, if you don't have a secure place to live, if you are constantly under the stress of not knowing how your children are going to be able to take care of themselves,



be dressed properly, educated, then you are going to suffer. That suffering comes through in health statistics. It comes through in the diseases that you acquire, it comes through in the length of life that you have.

So making changes here with the drug plan is potentially a good thing, depending on what we actually get put before us, and we don't know yet what's going to be put before us. But if you don't deal with the other aspects of people's lives, then frankly this isn't going to have an impact. It's like dental health: You can go every month and have fillings done—

**Mr. Hudak:** That would hurt.

**Mr. Tabuns:** It would hurt; it's true. I've been told by an honourable member that it would hurt. But the reality is, if you're not doing the other things to prevent decay, then no dentist can save the teeth in your head. Frankly, unless we do things about the larger health problems, this drug plan is not going to make this a healthy province.

So there's the context issue, there's the lack-of-substance issue, and frankly there's this whole question of to what extent we are going to be integrated into the plans of the pharmaceutical industry. I talked about P3s, my concern there about the flow of public money into private financing, but we've seen historically a situation in Canada—throughout North America—where you've had governments becoming too cozy with suppliers, too cozy with companies that they're supposed to regulate, and losing their independence, losing their ability to actually make the changes that they need to make. I'm concerned that these partnerships—which frankly, as things stand, will not be open to scrutiny, will not be open to public question—are going to mean that instead of the priorities of the people of this province determining our drug policy, the priorities of the drug companies will determine drug policy. That does not lead to a beneficial outcome. That is an outcome that can lead only to growing costs, costs that we will have to pay, costs that will undermine provision of health care.

If we are going to actually go forward with this bill, what I would ask the minister to do is come forward with his regulations, give people an opportunity to go through them, give them an opportunity to compare them to the documents that he's provided to the media setting out the wonderful benefits that will come from adopting this legislation, and let us in public hearings go through those and see whether or not the promises that are made will in any way be reflected in the actual steps that the minister takes.

Now, the minister has a lot of options before him. He can move quickly on this, and although I certainly see the need to move quickly on a number of policy areas that have been outlined and the need to deal with drugs that could be made available to those who are in life-threatening situations, drugs that may not have gone through all of the approval processes—and we've heard of those examples over the last few years and make special exemptions so that those people can get assistance that may in fact make a difference for them—the other side of this is my concern that if we rush through this without a

full consultation, without a full consideration of all of the regulations and plans that this government will actually bring forward, we will not get what we wanted. We will not get what we have billed by this minister. What we will get is a system that continues to be opaque and not accessible or understandable to Ontarians.

I think that's an extremely important point: People don't want government that they don't understand. People can't hold government accountable when they don't understand what's going on.

We have all been involved in the democratic process in different ways throughout our lives, and we know that to the extent that things are clear, to the extent that people can quickly understand what's before them, they can hold politicians and leaders accountable. To the extent that things are made obscure, to the extent that all that's in the public domain is misleading—maybe “misleading” is not an accurate word, but information is put forward that is incomplete and does not give people that access they need—you then provide the opportunity for mischief.

We've seen it in the private sector; we've seen a tightening-up of regulations in the United States on disclosure by companies that offer securities and bonds for sale. There is a tremendous requirement for disclosure of what's really going on in firms. We saw with Tyco, with Enron and with WorldCom that when there was a lack of disclosure, there was then the opportunity for people to play with books, to engage in activities that undermine the well-being of those who'd invested—some people investing their life savings, some people investing all of their potential pension benefits.

We don't want to repeat the mistakes that other jurisdictions have made by being unclear and confusing. I have asked the minister to come back again and make clear to all of us exactly what he's going to put on the table, because we know that the legislation before us cannot be the whole package; it simply cannot be.

The whole question of patient access or citizen access to reviewing drugs: I understand why the public is responsive to that. They don't feel at this point that their voice is heard. That's why this whole question of patient participation was included in the public relations element. I'd like to say that this initiative, if it was fleshed out, would be extraordinarily useful. It would make a difference to the health care system to have the patients who deal with the need to get drugs, who deal with the effect of long-term, disabling diseases, who have become very familiar with drug regimes and have their own expertise—if we were able to draw on that expertise, if we were able to have that expertise inform public policy, that would be a tremendous advance for us. I would hope that we would have amendments come forward to this legislation so that that expertise is not just something that was tapped at the whim of the government of the day but in fact was legislatively recognized so that in future, not just in this decade but over the long term, that expertise continues to be used to the benefit of the people in this province as a whole.



When the minister comes forward and says that he's going to make this process transparent, I think it's incumbent on him to make that whole process clearer to us here in this House. I would hope that in the next few weeks, before we actually go to hearings, the minister and his parliamentary assistant speak to other members of this House to make clear how that transparency is actually going to come about.

The vast majority of the drug system changes proposed here are ones that are of interest to people in this province. As other members have said in the last hour or so, there are problems and risks that we will take when we change the system. I think that we need to look at the balance of risk. I think that we need to see what we really have before us. I know that we will be taking the changes very seriously and scrutinizing them very closely.

**The Acting Speaker:** Time for questions and comments.

**Mr. Shafiq Qaadri (Etobicoke North):** It is a privilege of course to rise in support of Bill 102 in my dual capacity, not only as an MPP but also as a physician, because I can share with this House that there has often been a gap between the progress of medicine and the availability of the top-flight medications with which we can best serve our patients and the people of Ontario and the actual coverage systems that are out there. That's why I personally and professionally would be very pleased to support the access, equity and accountability that is going to be brought to bear with Bill 102.

As a case in point, for example, just yesterday we had a meeting with the leadership at the Ontario Lung Association in which points were raised about some of the better and optimal therapies that are available and the hoops that physicians and health care providers have had to go through for years and years in order to offer those best treatments and share those best practices with our patients.

1710

I think, as the Minister of Health has committed, that with this type of legislation, with this shining of light on the process, with essentially the protocol being revamped for the approval, for the consideration, for the delivery, for the financing of these medications, hopefully with time we will be able to close that gap between what is available in a best-practices format and what the Ontario Drug Benefit Formulary actually covers.

For example, we as physicians know that the burden of diabetes in Ontario is huge and ever increasing and that for some of the optimal medications that we'd like to offer to our patients, really, we have to jump through hoops. We have restrictions; we have things that impose themselves upon us. That's why I support Bill 102.

**Mr. Chudleigh:** The minister talks about the accountability and transparency of this piece of legislation, and yet this entire process has been cloaked in secrecy. There has been no public announcement made on the creation of the Drug System Secretariat. There has been no public announcement made of the secretariat's mandate. There was no public announcement that they were seeking a

person to head up this Drug System Secretariat, and there was no public announcement of the appointment of Helen Stevenson as that secretariat's manager. There was no opportunity for stakeholders to comment on the secretariat's recommendations. The secretariat's report and recommendations have never been made public.

This gives us no confidence that the minister is sincere about the need for accountability and transparency. The secretariat's report must be made public. The legislation is creating an unaccountable, unelected, politically appointed drug czar, who is going to reign over a \$3.5-billion drug system in Ontario, and with almost absolute power. This doesn't give us any confidence at all, especially in transparency and accountability.

How does this system serve the goal of accountability and transparency? The minister claimed that the drug approval process has been "cloaked in science"—that's a quote the minister made—for too long, and is now handing the system over to a political appointee. How is this supposed to foster confidence in the system on the part of Ontarians? It's under scientific principles that drugs are approved and used in Ontario. As the member for Oak Ridges pointed out earlier, that system has been flawed. It has been used in order to control the cost of medicines that have been dispensed in this province, and that is unfortunate. There should be a more transparent system for approving drugs and using them for the patients who—

**The Acting Speaker:** Thank you. The Chair recognizes the member for Beaches–East York.

**Mr. Michael Prue (Beaches–East York):** I had an opportunity to sit beside and listen to my colleague from Toronto–Danforth and saw the last few minutes of his speech on the television downstairs; I was called away for an important call.

Having heard his entire speech, what I was left with was that he was profoundly skeptical about this bill and about the government that is producing it, and he gave some very good, concrete examples within the body of his speech, and the lack of confidence he has based on his own historical experience in Toronto–Danforth around power generation. I know it's different, but he gave that as a very concrete example and ended up by saying that really, in reality, what he doesn't want to do is buy a pig in a poke.

Then I listened to the member from Etobicoke North, who said that this was the shining of a light on the process. I don't believe that is what the member from Toronto–Danforth was trying to say at all. I think there was no light being shone, because what he was trying to say and what he said so eloquently and so correctly was that this government was replacing an opaque, unfair process with an equally opaque, complex and confusing process and that there is no light being shone or, if it's being shone, it merely is there because you can't see through it. That's what the "opaque" references meant. The people who are on the outside looking in cannot see through the process. They don't see how this new process



is going to be any different than the one it's replacing. That's the skepticism that members of this House have.

The new member from Toronto–Danforth has only been here for a few weeks, and I hope he does not become skeptical of this place, but I will tell you that this bill would draw one to do that. What is in this bill? What is there in this bill that we're debating? Why won't the government divulge the details? That's the problem I think he has.

**Mr. Flynn:** As a Liberal, obviously we have a more optimistic view of life. We think Bill 102 could work.

I think it was interesting that the person who has been chosen to lead this through the House is the parliamentary assistant to the Minister of Health, the member from Mississauga South, Tim Peterson, who I know cares an awful lot about the constituents in his riding but also brings to this place a very good private sector business background. When you're trying to provide the sort of services that we provide in the provincial government to the people of Ontario, it's incumbent upon the government to provide it in as businesslike a manner as it possibly can. In any sort of business dealing, you want to drive a hard bargain and a smart bargain.

Three and a half billion dollars a year is a lot of money. We've got a drug system in Ontario right now that I think all parties would agree is in need of a major overhaul. There are significant problems on a number of fronts, and these are at present providing poor value to the Ontario taxpayers. This bill proposes to change that.

It appears that currently we've got some marketing strategies used in pharmacies that appear to be advantageous to generic drug manufacturers and the drugstores themselves but don't appear to be working in the best interests of the government of Ontario. Bill 102 will address that as well.

With the sort of purchasing power we have in Ontario, \$3.5 billion, we should be able to achieve the balance between high-quality drugs for patients, lowest cost for taxpayers, and profitability for drug manufacturers for dividends and to reinvest into the research and development that creates jobs in our province. It's a bill that, to me, makes sense. The new system that's proposed by Bill 102 simply gives the people of Ontario a drug system that's more efficient, more transparent and certainly more accountable.

**The Acting Speaker:** It's time for a response. The Chair recognizes the member from Toronto–Danforth.

**Mr. Tabuns:** First, kind words from my colleague from Beaches–East York. I don't think that this place will make me any more skeptical than I have been in the past. That is a good thing. I won't speak to my past experience.

**Ms. Wynne:** Don't get jaded.

**Mr. Tabuns:** "Don't get jaded." Thank you.

I have no doubt that when you buy \$3.5 billion worth of any product, you have a fair amount of leverage. I don't think there's a question around this House as to whether or not we should not use that leverage to the best advantage of the patients and citizens of this province.

The question that remains and has not been addressed, either by my colleague from the other side of the floor or my colleague here, is whether or not what we get will be a system that is in fact transparent, understandable and fast-moving. I would say that at the moment, the evidence is not before us. When that evidence is before us, we'll be able to make a decision that's informed. We will not buy a pig in a poke. We will be making sure that patient interests and citizens' interests are looked after.

I think it's incumbent on the government and incumbent on the minister to actually put before us the full scope of the plans that he says he's going to be acting on because, until we have that, we will have no idea what really will be the outcome of adopting this legislation. If you're going to have a functioning democracy, you have to put before legislators, the people who will ultimately be held accountable by the voters, the full package that will be considered. It isn't here. I don't know why it isn't here. I don't know why the minister didn't bring forward all that he has promised he will be acting on, but it's my hope that in the next few weeks, the members of this House will actually learn what the government's real plans are.

1720

**The Acting Speaker:** It's time for further debate.

**Ms. Wynne:** I'm happy to have an opportunity to speak to Bill 102. I want to speak to the substance of the legislation, but I want to make a couple of comments before I do that.

First of all, on the issue of policy development, the member for Halton, I think, spoke about secrecy. I just want to be clear that the secretariat that was set up and was the lead on developing the policy held over 100 meetings with 350 stakeholders, including patients, drug companies, pharmacists and health care professionals, and received 100 written submissions. I think in terms of responsible policy development, that's exactly what's gone on in getting to the point where the government is ready to bring this legislation to the House. So I'm very happy about that process.

I also want to say that the way this government has developed policy—and I can say, as the parliamentary assistant in education, I've watched as we have changed the way the bureaucracy interacts with the community on policy development. The previous government really wasn't interested in reaching outside the walls of the various ministries. It was a very internal process and a very political process. What we've tried to do in all our policy development is bring in the experts and access the stakeholders and the sector so that we come up with the best recommendations and bring that forward in legislation. I just wanted to make that comment.

The second thing I wanted to say about this legislation is that I am really very proud to be part of a government that is willing to take this on and to engender a public discussion about an area that has not been talked about for years, that has been avoided because it's so fraught with problems. What I think is going to come out of this legislation, apart from the changes that are going to be



made which will produce the evidence that the member for Toronto–Danforth is looking for, is a healthy discussion about how to have a sustainable drug system in this province. I'm very happy to be part of a government that has been willing to do that.

This legislation is about cost. It's about cost to the system. It's about an industry that needs to be supported for economic reasons but also needs to serve the needs of patients and the health care system. At the base, it's about the health and well-being of the patients and residents of Ontario. It's about the health and well-being of everyone who needs medication, when they need it and in the quantities they need it. That's what this legislation is about. It's about those things.

What it's not about is changing service to patients so that people don't get what they need, and don't get what they need in a timely manner. It's not about diminishing the importance of the sector. It's not about those things. It's about improving and making sure that people get what they need when they need it.

Why are we engaging in these changes? I know the minister has said that the spending on drugs has increased, on average, 13% in five years, while the spending on health care in general has increased 8%. Drug spending is now 10% of provincial health care spending. The government is spending \$3.5 billion a year and employers are spending an additional \$2.6 billion annually. These costs affect employer drug plans and they affect the ability of Ontario to be competitive with other provinces and countries. So part of the reason we're doing this is that the costs are exploding, have been for many years, and we need to get a handle on exactly what's going on there.

But from the perspective of patients and residents of every community in Ontario, these changes are needed because they need access to new, safe medications sooner; they need access to pharmacists who can advise and guide them and use the full extent of their training in their relationship with their clients; and they need a system that is sustainable for generations to come.

I don't know if anyone—perhaps some of the Toronto members—saw the story of Joseph Atkinson last night that was televised; Joseph Atkinson and the Toronto Star. In watching that illustration of Toronto at the turn of the century and in the early years of the 20th century, it's clear that we have come such an enormously long way in just two generations. The grinding poverty and the pervasive lack of sanitation that characterized parts of Toronto in the early years of my own father's life have largely been eradicated. In a very short period of time, we have come an enormous distance. I'm not suggesting that we've solved the problem of poverty in Ontario, but the services that are available to our children bear absolutely no resemblance to the health care services that would have been available to a sick child in 1920 in Toronto. They bear no resemblance. The mothers of those children had no access to the kinds of services that we have in this province.

I'd like to say that that progress is our pride and our advantage. All Ontarians, but I'd say particularly as Lib-

erals, believe that not only is it our responsibility to deal with the economic realities of the drug system in this province and to deal with the cost, but it's also our moral obligation to continue on this road. I believe this is a road that was informed by the social gospel of reformers such as Atkinson and the Liberals who supported him. That it's to our economic advantage to follow this road actually validates our philosophy. To continue to provide a universal, sustainable, high-quality health care system and to be able to support employers managing drug costs, we're going to have to make changes to the system, and that's what this legislation is about.

So what will the changes be if Bill 102 is passed? More drugs will be listed more quickly, and we'll do that by enabling drugs to be listed under certain conditions while waiting for further evidence, so that will speed up the process. We'll speed up the review process for those breakthrough drugs that I think some of the members opposite were talking about by starting the review prior to the drug being marketed in Canada. We're going to make more generic drugs interchangeable with brand name drugs. I had a question about this, when I was getting ready to speak to the legislation, about the ability for physicians to specify "no substitutions." The member from Oak Ridges was asking a question that I think is related to this issue. My understanding is that physicians will still be able to specify "no substitutions" under certain conditions. So when there's an issue there, that ability still exists.

This legislation will enforce drug benefit prices to ensure manufacturers fulfill their pricing commitments and protect pharmacists from unauthorized price increases. We are removing the promotional allowances that generic manufacturers pay to pharmacies, but we're also increasing the dispensing fee for all community pharmacies. When we looked at this issue and we looked at the extensive financial analyses, we determined that the changes won't substantially impact rural pharmacies and won't impact the small pharmacies. So that is a very responsible measure and it's absolutely needed, because part of making sure that we value the pharmacies and the pharmacists in all our communities is that we make sure they have the dispensing fees they need. By increasing dispensing fees, we're going to create a reserve that will allow them to offset the loss of those promotional allowances.

1730

We're going to recognize what is already a reality, and that is that pharmacists are part of our primary care system. We're going to be introducing a new payment schedule for specific services that pharmacists provide for patients. The reality is that it's often a pharmacist that a patient will have access to before another health provider—

*Interjection.*

**Ms. Wynne:** Not before, because obviously if someone is going to a pharmacist, they've gotten a script, so they have been to another health provider. But the pharmacist is often a person who is more readily accessible,



and so we're validating that role and we're acknowledging them as part of the primary care system.

We're going to appoint an executive officer for the Ontario public drug programs. There has been talk today in the House about who this person is going to be and how this person is going to be appointed. The reality is that the appointment of this person is modelled on that of the general manager of OHIP, and that person will report to the deputy minister. It's a very well-established process.

We're going to fund innovation in the system to get at concrete evidence of better health care and health outcomes, and this is a very important piece. I think the member from Toronto-Danforth referred to the issue of health and looking after ourselves. One of the reasons I'm really happy about the public discussion on this is that, as someone who tries to avoid taking medication, I think we need to be talking about what we're all doing to keep ourselves healthy and how we're managing our relationship with pharmaceuticals and with our need to take medication. So that's all part of this discussion.

The allopathic system has developed over many years and, at certain times, there has been an over-reliance. As a young mom, there was a discussion about whether we should give our kids penicillin or the related drugs when they had ear infections. I tried really hard not to give my kids too many rounds of penicillin. I worked with a doctor who wasn't wildly interventionist because I wanted my kids to develop a strong immune system. We need to have that kind of discussion too. I'm not in any way diminishing the people who need the drugs when they need them, but I think we do have to have that public discussion of our relationship as healthy people to the system.

The last thing I want to talk about just briefly is how these changes are going to benefit all Ontarians. I think the evidence will show, once this legislation has been in place for some time, that we will have better, quicker access to a wider range and, in absolute terms, more medication across the population and more affordable medication. There will be more service from pharmacists because pharmacists will be supported in delivering that service and they will have permission to do that. We'll have a more sustainable system that will grow at a rate closer to that of the overall health care system, and that's the economic issue that we talk about at the beginning.

In May 2004, I attended a joint meeting of the Canadian Association for the Study of Adult Education and the Adult Education Research Conference in Victoria. I was visiting my daughter in Victoria and I was able to go to the session at the same time. One of the sessions at that meeting dealt with health education and how adults in our society get their information about their own health and health issues in general. One of the questions on a survey of adult Canadians about access to health information asked who in their lives was the most accessible health professional. The single most frequent response was "pharmacist." In remote communities, often there is a doctor or a nurse practitioner who will have a multi-

point charge, and the pharmacist is someone who is there who can answer questions. I believe that we as a society have underestimated the role of pharmacists, and we need to validate and acknowledge their role while we support access to the right medication for patients at the right time.

On that last point, I believe that there is a whole issue underlying this discussion, and I alluded to it a little bit earlier. These are probably the difficult questions that we have to raise as part of this broader public discussion around the medical system and the drug system in general: How much medication? How much information do patients have? How do we help ourselves and fellow Ontarians to get what they need, not more frequently than they need it but when they need it? I know that many of the members in the House have had the Ontario Pharmacists' Association come and speak to groups of seniors about how to manage their medication. The sad reality is that many seniors in this province don't have the information that they need about medication. That is a responsibility that falls to all of us, but it also falls to the health care system to make sure that those supports are in place. I think that many of the changes being made in this legislation are going to help us in that regard. I recognize that that particular piece of the discussion is beyond the scope of this legislation, but I believe that by opening this discussion on revisions and reform of the drug plan, we're allowing the population in Ontario to have that discussion.

I believe this legislation is a really important step toward higher-quality health care in this province. I think it illustrates our continued commitment on this side of the House to confronting difficult challenges, to looking under all the rocks and taking on the issues that have been too hot for previous governments to handle. We're willing to look at them. We're willing to say, "This is the right thing to do, and let's get on with it," and that's what this legislation is about.

**The Acting Speaker:** Time for questions and comments.

**Mr. Hudak:** I appreciate the comments by the member from Don Valley West?

**Ms. Wynne:** West.

**Mr. Hudak:** Don Valley West—on this legislation.

**Mr. Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** Go west.

**Mr. Hudak:** Go west. I am.

I appreciated her comments and I do hope what she says is accurate. Certainly all of us as members, particularly those who have been around a while, always experience constituents who will come into our office—and this has never changed—who are looking for the latest breakthrough drug. Obviously, you cannot blame them, and you do your best as an MPP to help them out, whether it's through a section 8 or whatever means are available to us. No doubt, if your life is on the line, or those of your loved ones, you will battle to get the latest and best medical treatment possible, and often that is through a pharmaceutical product, a new drug that may



be available in another province, in the States or in other parts of the world.

I expect the legislation will be passed. I expect it will be amended, hopefully substantially, but I expect it will be passed, so I do hope that the bill will be successful in getting some of those drugs into the hands of Ontario citizens much more quickly than they are today.

There was a letter to the editor in the newspaper on April 11 from Dr. Keith Stewart, regarding Velcade. Dr. Stewart actually took Health Minister Smitherman to task. Minister Smitherman had downplayed Velcade's effectiveness. Dr. Stewart replied, "Does the minister really believe that oncologists worldwide, the editorial staff at the New England Journal of Medicine and 50,000 patients treated to date are so gullible as to be swayed by 'shrewd marketing campaigns'?" I guess the minister had dismissed Velcade's efficacy to advertising only, as opposed to its health benefits.

John Fulton, the executive vice-president of Biolyse Pharma Corp. in St. Catharines, in Niagara, has written to the Hamilton Spectator talking about Biolyse's Paclitaxel, and hopefully we will see that move forward as well.

**Mr. Tabuns:** The member from Don Valley West has a lot of useful things to say about the legislation and about health care overall. That doesn't necessarily mean that I'm happy with the legislation, but I do concede she's made some interesting points.

One of the points that was made, and one of the points that I think illustrates the difficulty that we all have on this side with this legislation, is the whole question of speeding up the review process by looking at drugs before they are marketed in Canada. I think that's quite a rational and reasonable approach. I just don't see that incorporated into this legislation.

What is talked about to a great extent is the potential for doing things or the promise of doing things, but not the requirement to do things. That has to be addressed for this legislation to go forward, so that people in this House can have some confidence that what they're voting for is actually going to result in the changes, the improvements, that we see as necessary to be made in this province. So I continue to listen, to hear promise of things to come, and some of the things sound very good. But I want to know, and I hope we'll see an amendment, the changes that will make these promises a reality.

One other thing I wanted to say in the brief time remaining is that the member also makes a good point about avoiding the use of medication where it is entirely reasonable to avoid use of medication. It would make sense to me that this new system should be investing in doctors and in pharmacists to assist them in dispensing fewer medications than they are dispensing now when that makes sense medically. We know that there is a problem in many sectors of society, particularly with seniors, with overmedication. Let's move away from that.

**Mr. Kuldip Kular (Bramalea-Gore-Malton-Springdale):** As a health care provider turned politician, I defin-

itely want to applaud the Minister of Health and Long-Term Care for bringing this bill forward.

Bill 102, if passed, is going to change the drug system and how drugs are being given to patients in this province. By changing the system, the system is being made more efficient. By changing the system, we are making the system more open and more transparent. The changing system will allow patients to have better accessibility to drugs, the drugs our patients need in this province.

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I want to assure the patients listening out there that they should not be worried, because the changes this bill is bringing forward are in no way cuts to the drugs that patients are getting at this point in time. They will continue to get the same drugs they are getting.

As a physician turned politician, I also know that this bill is going to get rid of form 8. Physicians take a lot of time to fill out form 8. Definitely, my physician colleagues in Ontario will love this bill, because it gives them more time to look after their patients instead of filling out forms.

I want to congratulate the minister for bringing this bill forward and I fully support it.

**Mr. Chudleigh:** We welcome the members in the east gallery who are visiting us from afar, I'm sure.

The member from Don Valley West makes some interesting comments. I spoke earlier in a two-minute about accountability and transparency, and she helped to make my case for me when she talked about how generics could be substituted for brand name drugs. She pointed out in her few words that these could be substituted for brand names; under some conditions, they could not be transferred. What are those conditions? We're asking for a huge leap of faith from the public here to determine the conditions under which that may or may not happen. Is it a doctor's decision? Is it a doctor who is constrained by regulations as to what he can or cannot do for his patient? I would suggest that any regulation or legislation that constrains a doctor from making a recommendation to his patient would be wrong in the strongest sense of the word, and that a doctor's opinion in any of these cases should rule.

Certainly generic drugs are expected to be the same as brand name drugs, but in all cases, they are not. In many cases that I've had experience with, the generic drug just doesn't have the same result with the patient. Whether it be in their minds or whether it be some other factor, it doesn't have the same result as the brand name. If the patient doesn't get better under that drug treatment, then regardless of what the cause is, the system shouldn't constrain the patient from getting their very best—

**The Acting Speaker:** Thank you. Time for a response. The Chair recognizes the member from Don Valley West.

**Ms. Wynne:** I want to thank the members who spoke. To the member for Erie-Lincoln, I think that we have to—and the minister said this: We can't expect that any single piece of legislation is going to be a panacea. It's



not going to be possible for any government to provide all drugs—

**Mr. Hudak:** I heard him say “panacea.”

**Ms. Wynne:** You heard him say “panacea?” I didn’t hear him say “panacea.” I don’t think he said that.

We have to be careful that we don’t raise false expectations, either on the part of the opposition doing that and saying that of course this is going to be a panacea—we’re not saying that. We’re saying that we’re trying to make incremental change that is going to make this system work better.

To the member for Toronto–Danforth: There is this constant debate about what should be in legislation and what should be in regulation. On just about every bill that I have followed or been on committee since I’ve been here, which isn’t all that long, there’s a discussion about what should be in regulation and what should be in the legislation.

This is a legislative framework. I know there will be discussion at committee about what else should be in the legislation, and that’s a healthy thing, but the fact is that regulations exist for a reason and they’re to lay out the specifics.

To the member for Bramalea–Gore–Malton–Springdale, he obviously brings his experience as a doctor. He understands the relief of the paper burden that’s inherent in this legislation.

To the member for Halton on the conditions of interchangeability, I think what’s really important here on this piece and on the whole piece of legislation is, we’re looking for a balance. Of course doctors have to be able to specify for their patients, but at the same time, if there is the possibility for interchangeability, then that’s a good thing if the drug is going to have the same impact. So we have to balance the doctors’ need to have that final word with the cost and the availability of a generic drug that may do the same thing.

I thank you, Mr. Speaker, and I look forward to supporting this legislation.

**Mr. Tony Ruprecht (Davenport):** On a point of order, Mr. Speaker: [Remarks in Spanish] as Mr. Kormos has pointed out. But I do have the great pleasure to introduce to you His Worship Phan Trong Vinh, the standing deputy mayor of Hue City in Vietnam, and his colleagues Mr. Do Trac Bang and Mr. Trinh Minh Bach, who are here visiting from Vietnam. I thought it would be great if we welcomed them.

**The Acting Speaker:** We certainly welcome them to the Legislature. Thank you.

Further debate? The Chair recognizes the member from Erie–Lincoln.

**Mr. Hudak:** I’m pleased to rise in debate and welcome our distinguished guests from Vietnam as well. I’m glad to see them here in the assembly and hope they enjoy the debate on Bill 102, a very exciting bill before the assembly today. I think my time is a little bit tighter than it would have been otherwise, but close, Mr. Speaker, so I will try to contain a 20-minute speech into about 15 or so.

There are a number of points I want to bring up. First of all, I do appreciate Don Valley West’s response to me. I think the government is playing down expectations that we’ll see many new drugs on the formulary, and certainly her comments would indicate such.

It would be hard for the government to square the circle in saying a couple of things, that first this will be a bill to constrain costs. We’ve heard a number of Liberal members indicate that the drug benefit program has been increasing in cost at—not at an exponential but at a significant rate, which is true. I think it is the fastest-growing aspect or at least the fastest-growing major aspect of the health care budget. So there’s no doubt that a considerable amount of this bill is about nothing but cost control of the ODB.

It would be interesting to see if they can, as I said, square that circle by wrestling down costs and having a bill whose premise is a cost constraint mechanism and also add on new brand names because, as we know, new brands are often very expensive to put on the formulary. Certainly price lists and the impact they have on people who need that medication to survive—but in terms of tax dollars, they can be very expensive. So I’m not convinced. I do hope that things like Velcade or the product manufactured in St. Catharines by Biolyse Pharma Corp. would be a couple of the contenders, but I believe that this is mostly, predominantly, about cost control.

Just as the finance critic for a minute, we’ve brought to the attention many times in the assembly the exorbitant increase in spending of the McGuinty government, in fact at such a rate that it would make David Peterson and Bob Rae blush. The increase in spending in the last couple of budgets by this government has been 8%, 8%, and then a 9.2% program increase.

*Interjection.*

**Mr. Hudak:** You haven’t balanced your budgets, because you’ve spent so much.

*Interjection.*

**Mr. Hudak:** You could have, easily. I don’t want to dwell on the finance side; I want to just bring some points forward. You could have easily balanced the budget, I say to my colleague. You had about \$3 billion in end-of-year revenue but you didn’t put any of that toward balancing the books, and continued to run a deficit.

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When you look at their forward numbers, in each of their budgets they dramatically underestimate what their health care costs are going to be, which is interesting, but they’re off significantly. For example, the increase in health care spending in 2003 was 12.7%. It’s a phenomenal increase in spending of 12.7%. When they brought forward their first projections, the 2004 budget forecast, the McGuinty government estimated that health care spending in 2004 would increase by 5%. In reality, once we saw the end-of-year figures, it was much closer to 8%, which has been the trend line for some time now, but they had put in their budget documents, for some reason, a 5% growth rate. In the 2004 budget forecast they actually forecast health growth in 2005 to be 2% when,



again, the historic trend line has been around 8%. In reality—and I won't have time to look back at the budget—the spending increase was probably between 8% and 10%, so about four or five times the factor of the actual spending increase.

So they continually overshoot dramatically their goals on health care spending, which will cause challenges, no doubt, if you're trying to balance the books and the economy slows down. I mean, they doctor their books and they doctor their revenue too, so the two doctors sort of balance out. They underestimate revenue dramatically, they underestimate their expenses, and they overspend and overtax year after year.

The point I was going to make is, I believe that Bill 102 is really the first effort the government is making to control spending. They have the LHIN legislation, which they'd also probably say is about spending control and efficiencies, but we've actually seen the LHINs delayed dramatically from the original time lines. They are really just structural; it's a mechanical change. Whether that will actually result in any real savings remains to be seen, and we won't find out, probably, until after the election. At least in the short term, as our leader John Tory has pointed out, there will be significant increases in spending because they're laying off people and then rehiring them under the LHIN umbrella, incurring the severance costs and then the rehiring costs as well. I think it was about a \$200-million-or-so cost estimated through leaked cabinet documents from the LHINs.

At any rate, this is the first effort that they have seemed to have made on reducing costs. I expect that the outcomes of this bill—if not amended, the goal will be to reduce costs in the system, and how will that be borne out? Who will lose out? I think the pharmacies and the pharmacists, at the end of the day, are going to lose under Bill 102 unless it is amended through the committee process.

I know my colleague from Guelph is experiencing a big issue in her riding with respect to the founding of a new Wal-Mart in the Guelph area, and I would guess that my colleagues across the floor—how many fans of Wal-Mart? I'm seeing some heads shaking “no.”

**Mr. McMeekin:** How many fans have you bought at Wal-Mart?

**Mr. Hudak:** How many fans which?

**Mr. McMeekin:** You buy your fans at Wal-Mart?

**Mr. Hudak:** I don't know where we got our fans.

The irony of this legislation—because I would suspect there are members on the floor who would decry Wal-Mart in the province of Ontario and would be surprised if this bill is going to help out the large drug chains like Wal-Mart has in their store. They often say that they're used as a loss leader to get customers in.

**Mr. McMeekin:** Are you against Wal-Mart?

**Mr. Hudak:** No, actually, I'm a fan, and I'll stand in the assembly and say that. I think that they have an excellent retail environment. It's well spaced, clean, you can see the prices easily, and they've been successful as a result, because a lot of people go there. But I know

members opposite would probably find it ironic, because they don't like Wal-Mart. But this legislation is actually going to help the large chain stores tremendously.

**Mr. McMeekin:** Who here doesn't like Wal-Mart?

**Mr. Hudak:** I saw some heads shaking when I asked if they liked Wal-Mart. They said, “No.”

**Mr. Flynn:** I thought you were a Zellers guy.

**Mr. Hudak:** Zellers has improved because of Wal-Mart too, I would probably argue.

CIBC World Markets report: I thought I'd draw this to the attention of the members. I'm running out of time. It goes so fast.

The CIBC World Markets report talks about Shoppers Drug Mart, another one of the large chains. CIBC's review of this legislation is quite interesting. They say in their report: “The primary focus of the proposed legislation is to reduce government spending on pharmaceuticals and the two areas it has control over: the pricing of generic drugs and the pharmacy reimbursement rate for all drugs.” They say, in the summary of proposed changes, “Reduce allowable markup from 10% to 8%. On the surface, this looks like a negative, but over the years, the Ontario drug benefit ... has been slow to adjust to rising drug prices, so the average markup today is below 8%. In effect, this change is ... positive.”

But then they go on to say, in point 3 in the report, “Reduce generic reimbursements from 63% of equivalent branded to 50% of equivalent branded.” CIBC World Markets says, “This is potentially a substantial negative, and if it survives intact, it will place the Ontario drug-store industry into a situation where only drugstores with ‘clout’ will win. This is because drugstores will try and get this reimbursement reduction out of the hides of the generic manufacturers. The most successful will be the bigger boys,” like Shoppers or Wal-Mart, “who can use their distribution clout. Independent pharmacists, who have no leverage, will be at huge risk if this passes. The Ontario Pharmacists' Association ... will fight tooth and nail against this reduction, and should be able to get something back. If not, independents will have to consider joining a larger network, which, long term, could be good for Shoppers,” but may not be in the interests of the small independents. They go on to say that the elimination of rebates on generic drugs paid to pharmacists will similarly drive independent pharmacies to close.

“What's next? ... This bill is unlikely to pass intact,” in the CIBC's opinion. “On the most basic level, the government needs pharmacists to help reduce health care costs by counselling, advising and promoting generics. As structured, this bill not only contains no incentive to push generics, it could also be a blow to drugstores, in particular the mom-and-pop operations.”

I would say, as a member who represents many small communities, I have great concern about what I hope is an unintended consequence of this bill, although I suspect that the minister knows full well its impact on the small pharmacies if not amended, which could see the independent pharmacies close their doors. The larger ones will be able to deal with this because they will buy in



bulk and, as the CIBC says, take it out of the hide of the generic manufacturers to try and find savings. But it would be awfully difficult for small mom-and-pop operators like Brodie's in Ridgeway, which has been my pharmacist for some time, to survive if this bill passes intact.

I have some further concerns about the role of the so-called drug czar. My colleague from Halton mentioned this. The minister has been critical of the notion of a physician or a pharmacist in this role because, "We have hidden behind the cloak of science for too long." If the decisions to place a product on the formulary or to have an interchange between a generic and a brand are not done on the basis of science, I wonder what basis they could be, then. Certainly, we've had criticisms of the government that they used political science when it came to the greenbelt as opposed to environmental science. I certainly hope that this is not opening the door for political science to similarly drive decisions on what is on the drug formulary and what is not. It definitely, frighteningly, opens the door as well to the government or politicians putting the squeeze on the various pharmaceutical companies in order to behave, to say good things about the government, to attend their fundraisers or something

like that and to fill the coffers of the Ontario Liberal Party if politics are put into play when it comes to this interchangeability.

No wonder we have concerns about the role of the drug czar and what his or her qualifications may be. It gives great cause for concern when the minister seems to have disdain for those who have science backgrounds in making these decisions. I hope the minister will definitely clarify his remarks in that respect.

I think perhaps, in the interests of time, I'll have an opportunity to return to my remarks later on. But I did want to point out the irony on this Thursday that members opposite who aren't big fans of the big chains like Wal-Mart are actually helping them out and, secondly, that I do have great concern about the drug czar and the political role that that individual may play that would not be in the interests of health care and patients in the province of Ontario. Thank you.

**The Acting Speaker:** I thank the member for that kind indulgence.

It being approximately 6 p.m., this House stands adjourned until 1:30 p.m. on Monday, April 24, 2006.

*The House adjourned at 1800.*

# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
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A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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